

IN THE FIFTEENTH JUDICIAL CIRCUIT COURT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CASE NO.: 502008CA037319 XXXX MB AB

B.B.,
Plaintiff,
vs.
JEFFREY EPSTEIN,
Defendant.

VOLUME I
VIDEO-TAPED DEPOSITION OF MICHAEL REITER
A WITNESS
TAKEN BY THE PLAINTIFF

DATE: November 23, 2009
TIME: 10:12 a.m. - 7:38 p.m.

1 The deposition of MICHAEL REITER, a witness in the
2 above-entitled and numbered cause was taken before me,
3 Vanessa G. Archer, Court Reporter, Notary Public for the
4 State of Florida at Large, at 2925 PGA Boulevard, Palm Beach
5 Gardens, Florida, on the 23rd day of November, 2009,
6 pursuant to Notice in said cause for the taking of said
7 deposition on behalf of the Plaintiff.

8
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1 I-N-D-E-X
2 November 23, 2009
3 MICHAEL REITER
4 DIRECT CROSS REDIRECT RECROSS
5 By Mr. Kuvin 8 352
6 By Mr. Garcia 155 364
7 By Mr. Critton 190
8
9
10 EXHIBITS
11 Marked
12 Plaintiff's Exhibit No. 1 16
13 (Palm Beach PD Intelligence Report 11/28/04)
Plaintiff's Exhibit No. 2 31
14 (Incident Reports)
Plaintiff's Exhibit No. 3 99
15 (Letter to Barry Krischer)
Plaintiff's Exhibit No. 4 131
16 (Photographs of El Brillo Way)
Plaintiff's Exhibit No. 5 132
17 (Photo of 358 El Brillo Way)
Defendant's Exhibit No. 6 218
18 (Subpoena Duces Tecum)
Plaintiff's Exhibit No. 7 356
19 (Money Transfers)
Plaintiff's Exhibit No. 8 357
20 (Flight Summary)
21 Certified Question: Page 160, Line 10
22
23
24 Letter to John Randolph, Esq.
25 Errata Sheets (to be forwarded upon completion)

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13 ALSO PRESENT: JEFFREY EPSTEIN
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15 VIDEOPHOTOGRAPHERS: MICHAEL D. DOWNEY
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20
21
22
23
24
25

1 THE VIDEOGRAPHER: This is the 23rd day of
 2 November, the year 2009. The time is
 3 approximately 10:12 a.m. This is the
 4 video-taped deposition of Michael Reiter in the
 5 matter of B.B. and Jane Doe and related cases
 6 Plaintiff versus Epstein, Defendant. This
 7 deposition is being held at 2925 PGA Boulevard,
 8 Palm Beach Gardens, Florida. My name is
 9 Michael Downey, I'm the videographer employed
 10 by Visual Evidence. Will the attorneys please
 11 announce their appearances for the record.

12 MR. KUVIN: Spencer Kuvin on behalf of
 13 B.B.

14 MR. HOROWITZ: Adam Horowitz for
 15 Plaintiffs' numbers 2 through 8.

16 MR. HILL: Jack Hill on behalf of Carolyn
 17 Adriana.

18 MR. CRITTON: Robert Critton on behalf of
 19 Jeffrey Epstein.

20 MR. GOLDBERGER: Jack Goldberger on behalf
 21 of Jeffrey Epstein.

22 MS. O'CONNOR: Joanne O'Connor on behalf
 23 of the witness.

24 MR. RANDOLPH: I'm John Randolph on behalf
 25 of Mike Reiter, the witness.

1 THEREUPON,
 2 MICHAEL REITER,
 3 having first duly sworn by me, was examined and testified
 4 as follows:

5 THE WITNESS: I do.

6 MR. KUVIN: Good morning.

7 THE WITNESS: Good morning.

8 MR. KUVIN: Before I start asking you
 9 questions, I just want to make sure I have
 10 something on the record so that you understand
 11 what we're going by in this case with respect
 12 to confidentiality issues.

13 It's my understanding, Counsel, that we
 14 treat this deposition as we have treated all
 15 the other depositions in the case, by which
 16 that I mean, Mr. -- Captain Chief Reiter is
 17 free to testify about names of girls, the
 18 underage girls in his testimony, and that a key
 19 will be supplied as we have done in the past at
 20 the conclusion of the deposition and attached
 21 to the back of the deposition.

22 MR. CRITTON: My understanding is he can
 23 certainly reference females. I don't know
 24 whether they're underage or not, but I
 25 certainly understand your stipulation by

1 calling them girls and underage. But as to any
 2 female that's referenced, I believe -- that
 3 we've referenced or that someone wants to
 4 designate as confidential, I'm comfortable with
 5 using the same process without necessarily
 6 trying to categorize it one way or the other.

7 MR. KUVIN: Fair enough, we'll use the
 8 same process here today that we've used in the
 9 past. I just want to make sure of that,
 10 correct?

11 MR. CRITTON: I think that's what I just
 12 said.

13 MR. KUVIN: Fair enough.

14 MR. RANDOLPH: -- all of you agree that
 15 there would be no waiver on the part of the
 16 Chief in regard to any law relating to naming
 17 these witnesses.

18 MR. KUVIN: I would absolutely agree with
 19 that.

20 MR. HILL: Agree.

21 MR. CRITTON: I agree with that. Is he
 22 still the Chief? You refer to him as the
 23 Chief. Is he still the Chief?

24 MR. KUVIN: Well, we'll get to that.

25 MR. CRITTON: Oh, okay. Just wasn't sure.

1 MR. RANDOLPH: He's not employed with the
 2 Town of Palm Beach at this point.

3 MR. CRITTON: All right, thank you.

4 DIRECT EXAMINATION

5 BY MR. KUVIN:

6 Q Good morning.

7 A Good morning.

8 MR. RANDOLPH: May I also for the record,
 9 before you go forward with the deposition,
 10 place on the record, because there are parties
 11 here that I believe did not receive prior to
 12 today the motion for protective order and
 13 motion to quash subpoenas filed on behalf of
 14 the witnesses by us. And I believe that all of
 15 you have received a copy of that by now, some
 16 of you just having received it this morning, we
 17 did not know when we had served this on Friday
 18 all of the parties to whom to serve it so we
 19 brought it today.

20 MR. KUVIN: Okay. I haven't received it
 21 and I haven't read it except to the extent I
 22 know I made copies of it this morning. So I
 23 haven't read it yet so I certainly can't speak
 24 to whatever's in it, but we'll read it.

25 MR. CRITTON: Skip, I also did not -- I

1 don't think I got a copy on Friday afternoon.
 2 If we could make a copy at the break too, I'd
 3 like to get a copy so I know what it says.

4 MR. KUVIN: If you just give it to the
 5 receptionist --

6 MR. RANDOLPH: You were the two people
 7 that we e-mailed it to, to you and to you, Bob.

8 MR. CRITTON: I'm a hundred percent
 9 confident that you may have sent it to my
 10 office, I just haven't seen it yet. But I saw
 11 a reference to it so I'm not -- and I think
 12 Joanne had mentioned that you were going to
 13 file one so it doesn't come as a surprise, so I
 14 appreciate it.

15 BY MR. KUVIN:

16 Q Okay. All right. Now that the lawyer
 17 stuff's out of the way, could you give us your full
 18 name, please?

19 A Michael Steven Reiter.

20 Q And are you still a commissioned police
 21 officer?

22 A I have the licensure of the State of
 23 Florida, I am not currently employed as a police
 24 officer.

25 Q All right. But you still hold the

1 A It's a licensed security company with the
 2 State of Florida, and what I do is security and
 3 crisis management and investigation.

4 Q Where does that business work?

5 A Primarily in the Town of Palm Beach and
 6 areas nearby.

7 Q All the work contained, all the primary
 8 work contained within the County of Palm Beach?

9 A I don't really see what details about my
 10 business -- I have competitors, and if I speak of
 11 the details I would have some concern that those
 12 details would be unfavorable for the success of my
 13 business.

14 Q Fair enough. You're the principal of that
 15 business though?

16 A Yes.

17 Q When did that business begin?

18 A I actually filed the documents with the
 19 state a couple of years ago but didn't begin
 20 operating it until I left the police chief's
 21 position until I retired, so that was really the
 22 beginning of March of this year.

23 Q So you left as Chief of Police for the
 24 Town of Palm Beach in March of 2009?

25 A I left -- February 28th was the last day,

1 license, correct?

2 A That's correct.

3 Q I ask that because I don't want to ask
 4 your home address if you still have the license.

5 With agreement of counsel, can we
 6 agree that any contact made with former Chief Reiter
 7 is made through your office?

8 MR. RANDOLPH: Yes.

9 BY MR. KUVIN:

10 Q And you understand what I mean by that,
 11 when I say I don't want to make known your private
 12 home address because you're still a licensed police
 13 officer?

14 A I appreciate that and hope that that would
 15 continue if I allow my license to expire as well.

16 Q Okay. All right. You're okay with us
 17 contacting you through the lawyers that are here
 18 today for any contact we need to make with you?

19 A Yes.

20 Q All right. Where do you currently work?

21 A I started a company after my retirement as
 22 Chief, Michael Reiter and Associates. I'm the
 23 president.

24 Q And Michael Reiter and Associates, what
 25 does that business do?

1 I retired.

2 Q How long had you been Chief of Police for
 3 the Town of Palm Beach?

4 A Approximately eight years.

5 Q And before that where did you work?

6 A Before that, well I was a Palm Beach
 7 police officer for twenty-eight years, so prior to
 8 that I was employed by the University of Pittsburgh
 9 Police Department.

10 Q What years are we talking about that you
 11 were back at the University of Pittsburgh?

12 A I began with the town on January 26, 1981.
 13 I worked for approximately two years prior to that
 14 with the University of Pittsburgh Police Department.

15 Q And was that the first police officer
 16 position that you held at University of Pittsburgh,
 17 or did you hold any position prior to that as a
 18 police officer?

19 A I worked for a year in the City of New
 20 Kensington, Pennsylvania as a traffic officer, which
 21 was kind of a hybrid type position with authority to
 22 enforce traffic laws and so on. It was a one-year
 23 grant position.

24 Q Okay. Any prior police work other than
 25 that?

1 A No.
 2 Q Okay. Why don't you give us, if you
 3 would, just the benefit of your background and
 4 education starting with high school and any
 5 post-secondary schooling that you've had?
 6 A I graduated from high school in 1975. And
 7 then I went to the Pennsylvania State University
 8 where I received an Associate Degree in letters,
 9 arts and sciences. And then I came to Florida and
 10 received a Bachelor of Arts in criminal justice from
 11 Florida Atlantic University. And then at the Palm
 12 Beach Atlantic University a Master of Arts in human
 13 resource development, the concentration in
 14 organizational development. I was at Harvard
 15 University, Kennedy School of Government in 2000 for
 16 the senior executives and state and local government
 17 program. I'm a graduate of the FBI National
 18 Academy, which is in Quantico, Virginia. The
 19 Southern Police Institute, which is a residential
 20 management program for law enforcement at the
 21 University of Louisville. I have numerous other
 22 professional training courses in a variety of
 23 different areas.
 24 Q When you left the Town of Palm Beach as
 25 Chief, I assume there was a personnel file that held

1 all of your training materials and background and
 2 licenses and all of that qualification material?
 3 A Yes.
 4 Q Okay. Likely contained within your
 5 personnel file, which is generally public record,
 6 correct?
 7 A Yes.
 8 Q And you mentioned that you'd worked for
 9 the Town of Palm Beach as a police officer for
 10 twenty-eight years?
 11 A That's correct.
 12 Q Could you work us through up the ranks?
 13 In other words, when you first started what your
 14 position was, how long you may have held that
 15 position and how you worked your way up the ranks to
 16 ultimately become the Chief of Police?
 17 A I started as a patrol officer, a uniform
 18 patrol officer, I had that position for about a
 19 year. And then I joined the tactical unit, of what
 20 it was called back then, which was primarily
 21 surveillance and investigations. I was in that
 22 assignment for about two years.
 23 And then I became a detective in the
 24 general assignment detective bureau and I was there
 25 for about a year. And then I went to the organized

1 crime, vice and narcotics unit as a detective for
 2 approximately a couple of years. I was promoted to
 3 sergeant and became a patrol sergeant, uniform
 4 patrol sergeant, for a year and a half.
 5 And then I was transferred to the
 6 organized crime, vice and narcotics unit as its
 7 supervisor. I did that for about three, or possibly
 8 four years.
 9 Then I was promoted to Captain, and
 10 my first assignment as Captain was in the
 11 investigations function of the department
 12 responsible for all of the components and
 13 investigation. I think I did that for approximately
 14 a year or so and then I was promoted to Major. The
 15 department had two Majors and acted as assistant
 16 chiefs, and I was responsible for the law
 17 enforcement component of the police department. Did
 18 that for about seven years.
 19 Then I became assistant Chief of
 20 Police, which was a new position. I did that for
 21 three years. And then I was appointed Chief of
 22 Police and that was for about eight years.
 23 Q And what was the year you were appointed
 24 Chief?
 25 A 2001.

1 Q So we're looking at 2001 to 2009 roughly
 2 as Chief of Police?
 3 A Uh-huh.
 4 Q And let me work back on the years with
 5 that. This series of appointments and promotions
 6 through the ranks at the police department also
 7 would likely be outlined in your personnel file
 8 there kept at the police department; would you agree
 9 with that?
 10 A Yes.
 11 Q We're here today to talk about an
 12 investigation that began -- well, let me ask you, do
 13 you know as you sit here today when the
 14 investigation began with respect to Jeffrey Epstein,
 15 roughly the time frame that that investigation
 16 ensued?
 17 A I believe it was 2005.
 18 Q Let me start out by showing you what we'll
 19 mark as -- you got a whole thing of stickers? Why
 20 don't you get them out because I'm going to need a
 21 bunch. Why don't you take a look at it as well.
 22 Perfect. Thank you very much.
 23 All right. If I could just put a
 24 quick sticker on that for you, I'll give it back to
 25 you so you can finish reading.

1 A I'd like to clarify what I said
 2 previously. When you asked me the investigation, I
 3 assumed you meant the one that resulted in the
 4 criminal charges.

5 Q I figured --

6 A And I interpreted that to mean when we had
 7 a complaint that came forward, and I think that was
 8 2005. And the document you've just given me is
 9 dated prior to that and I didn't see this set of
 10 facts that's documented here as being part of what I
 11 previously --

12 Q I appreciate that and that's why I gave
 13 you the document because I wanted to clarify so that
 14 we're on the same page.

15 MR. CRITTON: Move to strike as
 16 unresponsive.

17 BY MR. KUVIN:

18 Q Let me ask you -- I've showed you what
 19 we've marked as Exhibit 1. You've had a chance to
 20 take a look at that, correct?

21 A Yes.

22 Q All right. Can you explain to us
 23 generally, because we're going to go through a
 24 couple of these forms today, what this form is and
 25 what it's used for, or what it was used for back at

1 used really is that. If it's just information and
 2 it's intelligence and it could be eventually be part
 3 of a criminal investigation, it would be documented
 4 in an intelligence report. If it's information that
 5 it was clear at the time when the writer prepared
 6 the report, that it's part of a criminal
 7 investigation or something that truly needs to be
 8 documented, then it would be on the incident report.

9 Q Okay, fair enough. With respect to this
 10 form generally, a blank one, who is it that
 11 developed this particular form; do you remember?

12 A Well I can answer that and maybe remember
 13 a -- I think I developed this form.

14 Q Okay.

15 A Or at least its predecessor. I skipped
 16 somewhere along the way a three-year assignment when
 17 I was responsible -- I was an administrative
 18 sergeant. I was responsible for records and
 19 planning and research and all those sorts of things.
 20 I seem to recall during that time period that's when
 21 we really fully computerized the police department.
 22 I think I developed a predecessor to this form at
 23 that time.

24 Q Okay, fair enough. Let's go through some
 25 of the sections of this report. The date first of

1 the time?

2 A It's titled Palm Beach Police Department
 3 Intelligence Report. It documents information that
 4 is of an intelligence nature that the department
 5 sees it as important to remember but does not
 6 necessarily start in a criminal investigation.

7 Q Okay. Is this generally the form that is
 8 used by police officers and detectives when they get
 9 a call for a potential incident?

10 MR. CRITTON: Form.

11 BY MR. KUVIN:

12 Q Let me ask it this way, bad question.

13 Is this the only form that was used
 14 back at that time in order to report potential
 15 incidents, or were there other forms that were used?

16 A No, there were other forms.

17 Q What was -- what is the deciding factor
 18 when to use this particular form back then?

19 A Well the other form, which is an incident
 20 report, that's something that gets counted as an
 21 actual crime or an incident that's going to result
 22 in an investigation. It's a sort of a higher level
 23 documentation of something.

24 The difference between when an
 25 intelligence report or an incident report would be

1 all at the top right, is that the date the actual
 2 report is taken, or is that the date that it's
 3 filled out, or both?

4 MR. CRITTON: Form.

5 MR. KUVIN: Can you tell?

6 MR. CRITTON: Unless he has any personal
 7 knowledge or filled out the form, please ask
 8 him to read the form, or are you just talking
 9 about the form in general? Form.

10 BY MR. KUVIN:

11 Q Okay. Let me ask some background
 12 questions first since he has that objection.

13 As Chief of Police, were you
 14 reviewing forms like this in your position at that
 15 job, would you see these types of reports generally?
 16 Not this one in particular but generally?

17 MR. CRITTON: Form.

18 THE WITNESS: If generally means would I
 19 see most of them, no, as Chief.

20 BY MR. KUVIN:

21 Q You're aware of the form though itself,
 22 correct?

23 A Yes.

24 Q And you were aware that officers would
 25 fill these forms out working for your department?

1 A Yes.
 2 Q And these records, such as these reports,
 3 like this intelligence report you have in front of
 4 you today, are records that are regularly kept in
 5 conducting business as a Chief of Police in the Town
 6 of Palm Beach?

7 A That's correct.

8 Q Would you agree with me that this was a
 9 regular business record for the Town of Palm Beach
 10 Police Department?

11 MR. CRITTON: Form.

12 BY MR. KUVIN:

13 Q These types of documents?

14 A Yes.

15 Q And you trust in your officers to fill out
 16 these types of incident reports on a regular basis?

17 MR. CRITTON: Form.

18 THE WITNESS: Yes.

19 BY MR. KUVIN:

20 Q And if your officers filled out these
 21 reports incorrectly or improperly, ultimately
 22 someone in the chain of command would talk to them
 23 about that and try to correct any inaccuracies?

24 MR. CRITTON: Form.

25 THE WITNESS: If we became aware of --

1 BY MR. KUVIN:

2 Q Sure.

3 A -- that they were incorrect, yes.

4 Q Okay. My point being is, is that while
 5 you may never have seen this particular document,
 6 I'm sure in your job as Chief of Police these
 7 documents came across your desk on a periodic basis
 8 so you know what this document -- not maybe this
 9 one, but you know what these are, correct?

10 A Yes.

11 MR. CRITTON: Form.

12 BY MR. KUVIN:

13 Q And you're familiar with them?

14 A Yes.

15 Q Okay. All right. Now let's talk about
 16 this document. In the top right-hand corner where
 17 it says the date of 11/28/04, the form itself, is
 18 that date that's put in that top right corner
 19 supposed to be the date that the incident report is
 20 taken?

21 A They would normally be the same date, but
 22 it would normally be written the same date that the
 23 information the police officer who completed the
 24 form became aware of the information, unless it
 25 happened near midnight and it was written after

1 midnight, and then I don't think that the policies
 2 of the department directly address what to do in
 3 that case. But generally the date that the officer
 4 became aware of the information and the date that it
 5 would be written and the date recorded here would be
 6 one and the same.

7 Q Okay, fair enough. And the date on this
 8 one is November 28th of 2004?

9 A Yes.

10 Q Now there's a section there that says case
 11 number and it's blank on this particular form.
 12 There's also a section that says file number and
 13 that is blank. Can you explain to me what those
 14 sections would be used for and, if you know, why in
 15 certain circumstances they would be blank?

16 MR. CRITTON: Form, speculation.

17 THE WITNESS: The case number would be
 18 generally where if there was an incident report
 19 also on this where that incident report number
 20 would be recorded. The file number is kind of
 21 an old system. What used to be the organized
 22 crime, vice and narcotics unit is responsible
 23 for intelligence in the department and it's now
 24 called the special investigations unit, and
 25 they have their own -- that unit had its only

1 filing system by category of crime. And if
 2 this report fell into one of those categories
 3 like, for example, let's just say 3 would be
 4 prostitution and, you know, 3-001 would be the
 5 first or -- it was actually by the year.
 6 2009001 would be the first prostitution
 7 intelligence report that's filed in that
 8 particular year. Those numbers, if they
 9 applied, would be placed where it says file
 10 number.

11 BY MR. KUVIN:

12 Q Can we assume that those, since those are
 13 not filled out, that a case or file was not opened
 14 on this particular report?

15 A I don't know about this particular report.
 16 It was not unusual that when these reports would be
 17 created by generally a police officer in the field
 18 that part would be blank. And then if it was
 19 appropriate to be included in the organized crime,
 20 vice and narcotics unit or special investigations
 21 unit, I can't remember what year we changed it,
 22 which would apply a name for the time that this was
 23 written, then the detective who would place it in
 24 the file of that specialty unit would then record
 25 the file number if it was appropriate to do that.

1 Q The next section says confidential, and
 2 there's a Y and an N, which I assume is yes or no.
 3 Who is it that makes the call or determination
 4 whether or not an incident or intelligence report is
 5 to be kept confidential?

6 A I guess there are opportunities to do that
 7 along the way. The author of the report certainly
 8 has that opportunity, but others along the way,
 9 supervisors and so on, can change that if they chose
 10 to.

11 Q Okay. What I'm wondering though is, were
 12 there any guidelines at the department back in 2004,
 13 let's say late 2004, as to what report should or
 14 should not be kept confidential, or was it left up
 15 to the individual officers to make that call along
 16 the line?

17 A Well there are guidelines. The guidelines
 18 basically are, or were, of whether or not the
 19 information would be exempt by virtue of the public
 20 records law.

21 Q Okay.

22 A And the one most typical would be an
 23 active criminal investigation or active criminal
 24 intelligence information.

25 Q Sure. All right. We go down here and the

1 officer that filled out this particular report is
 2 Officer Munyan. Do you know whether he still works
 3 at the department?

4 A As far as I know he does.

5 Q And the subject of this investigation, we
 6 can agree, was Jeffrey Epstein?

7 A That's what it says, yes.

8 Q And the source that was utilized for this
 9 report was Alfredo Rodriguez?

10 MR. CRITTON: Let me just object to form.
 11 Are you just asking him to read, I just want to
 12 distinguish. If he has personal knowledge,
 13 that's great, but if he's just reading the
 14 form, I'd like that to be clear. So form.

15 BY MR. KUVIN:

16 Q According to your business record at the
 17 department, the source of the investigation was
 18 Alfredo Rodriguez?

19 MR. CRITTON: Form.

20 THE WITNESS: That's what it says here.

21 BY MR. KUVIN:

22 Q Okay. And with respect to this report in
 23 particular, you've had a chance to read through it,
 24 correct?

25 A I read it quickly.

1 Q All right, fair enough. I'm not going to
 2 test you on it or anything, but after having
 3 reviewed it, can you recall having seen this report
 4 at or around the time of the primary investigation
 5 which took place in roughly February of '05 through
 6 December of '05?

7 MR. CRITTON: Form.

8 THE WITNESS: No.

9 BY MR. KUVIN:

10 Q Okay.

11 A No as to if I recall whether or not seeing
 12 it. I could have, but I don't recall.

13 Q Okay. These types of reports -- well
 14 actually let me go down it really quick here.
 15 There's a section that has the information which is
 16 the content of the report; in other words, what the
 17 officer is reporting, correct?

18 A It says information, yes.

19 Q All right. And it says there in
 20 information content, there are boxes, either
 21 verified, unverified, explain, partially verified or
 22 similar info filed. Do you see that?

23 A Yes.

24 Q What are those sections used for and how
 25 is this that an officer is to decide which one to

1 check there?

2 A Well that's sort of an evaluation of the
 3 quality of the information.

4 Q Okay.

5 A But verified would be exactly what it
 6 says, if they were able to verify the information.
 7 Unverified would be it's just information, and I
 8 don't know the person who wrote it, doesn't know the
 9 reliability of the information. Explain, I don't
 10 think I wrote that part of the form, and I suppose
 11 if that were checked that would be to require, you
 12 know, some additional explanation. Partially
 13 verified being, you know, partially verified. I
 14 don't know what else to -- they're really
 15 self-explanatory.

16 Q Okay, fair enough. It then says evaluated
 17 by supervisor with an initial there. Do you
 18 recognize that initial?

19 A No.

20 Q Who is Officer Munyan's direct supervisor
 21 in the chain of command, if you recall, back in
 22 November of '04?

23 A I don't recall. Eighty police officers in
 24 the department, probably twenty that came and left
 25 during that time period. I don't know.

1 Q Do you know whether there was any follow
 2 up regarding this initial report?

3 A Well I recall being made aware of the
 4 information. I recall that there was some follow
 5 up, yes.

6 Q Having taken a look at this report, if
 7 this were something that would have came across your
 8 desk, if it ever came across your desk in November
 9 of 2004, is this the type of report that you think
 10 would require a follow up?

11 MR. CRITTON: Form.

12 BY MR. KUVIN:

13 Q Some type of further investigation or
 14 follow up, or is it insufficient to require any type
 15 of follow up in your opinion?

16 MR. CRITTON: Form.

17 THE WITNESS: If I'm understanding your
 18 question to mean does the information included
 19 here suggest that there should be some follow
 20 up --

21 BY MR. KUVIN:

22 Q Yes.

23 A -- in a general sense, yes.

24 Q Okay. Do we know as we sit here today, do
 25 you know whether any ultimate follow up did occur

1 later on?

2 A Yes.

3 Q All right. And is that the investigation
 4 ultimately that you were referencing at the
 5 beginning which occurred, it looks like it began in
 6 January just a few months later, of 2005?

7 MR. CRITTON: Form.

8 THE WITNESS: I'd like to read this again.

9 BY MR. KUVIN:

10 Q Absolutely.

11 A What was your question again?

12 Q Yes. At the beginning when I was asking
 13 you when the investigation began, you initially
 14 thought it might have been in early 2005. I then
 15 showed you this to help refresh your recollection.
 16 And my question is, is the primary investigation,
 17 which you recalled starting in roughly the beginning
 18 of 2005, a follow up to this initial report back in
 19 November of 2004, or were they two independent
 20 investigations or something else? That's what I'm
 21 trying to understand.

22 MR. CRITTON: Form.

23 THE WITNESS: I think the facts that we're
 24 all here for today, that investigation in my
 25 view did not begin by this document.

1 BY MR. KUVIN:

2 Q Okay. Do you know what, if any, follow up
 3 was done regarding Exhibit 1?

4 A Well I don't remember ever actually seeing
 5 this document. I may have seen it in the later
 6 years, but certainly not at the time that it was
 7 written, I can't remember seeing it at the time it
 8 was written. I remember it being characterized or
 9 summarized for me by one of the supervisors, I don't
 10 remember who that was, explained to me in general,
 11 and what I remember is some general mention of the
 12 circumstances here and some follow up to that.

13 Q Okay. All right. Let me show you, just
 14 so you've got further information in front of you to
 15 review, is what we'll mark as Exhibit 2. And I
 16 don't want to characterize it, but if you could just
 17 kind of tell me what is Exhibit 2?

18 As I mentioned to counsel, there
 19 should be 87 pages to that.

20 A It's Palm Beach Police Department Incident
 21 Report, number 05-00368.

22 Q And what is this incident report
 23 pertaining to?

24 MR. CRITTON: Just so I'm clear, is that
 25 the only copy you have?

1 MR. KUVIN: I've got mine and his.

2 THE WITNESS: I've only looked at a few of
 3 the pages but it looks to be the Palm Beach
 4 Police Department's investigation concerning
 5 the sexual contact that Mr. Epstein had with a
 6 variety of underage, meaning juvenile females.

7 BY MR. KUVIN:

8 Q Okay. The same Mr. Epstein that is
 9 attending your deposition here today at the end of
 10 the table?

11 A Yes.

12 Q And what I'm trying to just understand for
 13 a minute is, going back to Exhibit 1, you said
 14 ultimately you may have been informed later on of
 15 Exhibit 1. Was that given to you during the
 16 investigation that was going on in Exhibit 2, that
 17 someone came to you and refreshed your recollection
 18 or showed you maybe for the first time Exhibit 1?

19 MR. CRITTON: Form.

20 THE WITNESS: I don't remember anyone
 21 actually showing me Exhibit 1. It certainly
 22 could have happened, I don't specifically
 23 remember that. I do remember receiving a
 24 verbal summary of this with this information
 25 that's actually included in here.

1 MR. CRITTON: Spencer, would you pass me
 2 Exhibit 1?
 3 MR. KUVIN: Sure.
 4 MR. CRITTON: I'm sorry, Exhibit 2.
 5 MR. KUVIN: Yeah.
 6 BY MR. KUVIN:
 7 Q With respect to what's outlined in Exhibit
 8 1, were there any other summaries given to you or
 9 explanations given to you by officers in the
 10 department referencing potential prior similar
 11 incidents to what ultimately became the focus of the
 12 investigation shown in Exhibit 2 other than Exhibit
 13 1?
 14 A Yes.
 15 Q How many other prior incidents were you
 16 made aware of during the primary investigation shown
 17 in Exhibit 2?
 18 A I don't recall exactly how many.
 19 Q More than just the one that we have here
 20 in Exhibit 1?
 21 A Yes.
 22 Q Do you recall whether anyone showed you,
 23 and I know you don't recall seeing Exhibit 1, but do
 24 you recall whether anyone showed you any other
 25 reports, intelligence reports, regarding Mr. Epstein

1 when the primary investigation was taking place as
 2 shown in Exhibit 2?
 3 A I have to see if I understand your
 4 question correctly.
 5 Q Yeah.
 6 A Did I see any other intelligence reports?
 7 Q That pre-dated the investigation which
 8 began in January of 2005?
 9 A Okay, I didn't understand that. I don't
 10 remember. I do know that I was made aware in a
 11 general sense of information similar to that which
 12 is included in Exhibit 1.
 13 Q Tell me what you were made aware of and
 14 who made you aware of that?
 15 A I don't remember exactly who, but some
 16 member of the staff, as part of either them coming
 17 to my office or a very brief daily staff meeting
 18 that we always had, told me that we had received
 19 reports of seeing young women, attractive young
 20 women, coming and going from Mr. Epstein's
 21 residence. There was some follow up to that. I
 22 think we may have encountered one or two of them.
 23 They may have done a little bit of surveillance or
 24 talked to neighbors to ask whether or not they had
 25 seen that. I think we were of the general

1 understanding that, yes, there were very attractive
 2 young women coming and going from Mr. Epstein's
 3 residence.
 4 Again, this is all prior to what I
 5 consider the trigger point of the investigation,
 6 which was some time, according to that report, in
 7 2005, not 2004, this.
 8 Q Correct.
 9 A We did some level of further inquiry and
 10 we were of the belief that they were all adults.
 11 And we were also of the belief that there was a
 12 possibility that there could be prostitution. But I
 13 mean that's just not something that we heavily
 14 pursued, prostitution in private residences, it's
 15 common everywhere in America. We didn't believe
 16 that they were underage at that point and so we had
 17 no further interest in it.
 18 Q How can we obtain any and all prior
 19 intelligence reports that may have touched on that
 20 topic that you just discussed? What is the easiest
 21 and simplest way to obtain those records?
 22 A I don't know for a fact that they exist,
 23 but if they did exist then you're the lawyers, I'm
 24 not, and whether or not -- I'm telling you the legal
 25 mechanism that you would use to get these things,

1 subpoenas, public records law, demands --
 2 Q All I'm asking --
 3 A Again, I'm not the Police Chief so I'm not
 4 speaking for the department.
 5 Q Fair enough.
 6 A Those would normally be available if there
 7 was not an active criminal investigation or criminal
 8 intelligence exemption or some statutory protection,
 9 sexual battery victims and so on.
 10 Q Sure. How were they kept back in 2002
 11 through 2006 at the department, were they kept under
 12 the individuals' names? So, for example, if we ask
 13 for all intelligence reports for Jeffrey Epstein
 14 dating back to 2002, is that how they're kept, or
 15 are they kept under the residence address, or are
 16 they kept under the source's name, or are they kept
 17 under the potential victim's name? That's what I'm
 18 asking.
 19 A They're going to be searchable by every
 20 parameter except the victim's name.
 21 Q Gotcha.
 22 A And it'd be available probably most easily
 23 by the subject name.
 24 Q Gotcha. Okay. That's what I was asking.
 25 All right. Let's talk about -- can I

1 get Exhibit 2 back, please.

2 Let's talk about what we marked

3 Exhibit 2. If we look at Exhibit 2, at the top of
4 the report it has a section where it says occur from
5 date, and it has January 27, 2005. What does that
6 date represent with respect to this particular
7 incident report?

8 A From purely my recollection I don't know.
9 I'm sure that there's some event documented here in
10 the report that is dated January 27th, 2005.

11 Q And the report date, that represents the
12 date that the initial report is prepared; is that
13 correct?

14 MR. CRITTON: Form.

15 BY MR. KUVIN:

16 Q What does that date represent?

17 A It would typically represent the date that
18 the report was prepared, or begun actually. Because
19 there are supplementary reports typically speaking
20 in general, and that could last for years or days or
21 any other time period. That would be when the first
22 report generally is begun.

23 Q And the suspect in this particular
24 incident report, or suspects, were whom?

25 MR. CRITTON: Let me just object to form

1 again, personal knowledge versus are you just
2 asking him to read the report. I'd like that
3 to be clear. Because he's not the preparer of
4 the report. Form.

5 BY MR. KUVIN:

6 Q The suspects in this particular report are
7 who or whom?

8 A I'm looking at the report. The first one
9 that I see listed is Haley Robson, Sarah Kellen,
10 Jeffrey Epstein. I think that's probably it. The
11 remainder looks like victims, and then it probably
12 gets into witnesses.

13 Q Okay. At some point during your tenure as
14 Chief of Police, were you made aware of this
15 particular investigation and this particular
16 incident report?

17 A Yes.

18 Q Were you personally aware that Jeffrey
19 Epstein was being investigated by your department at
20 the time as a suspect as part of this incident?

21 A Yes.

22 Q And are you personally aware that you were
23 also -- your department at the time was also
24 investigating Sarah Kellen and Haley Robson?

25 A Yes.

1 Q So you were personally made aware of the
2 ongoing investigation, correct?

3 A Yes.

4 Q All right. When did they initially come
5 to you, your officers, whether it be the
6 investigating officer, a captain, major, whoever it
7 may have been in the chain of command, and let you
8 know that this investigation was ongoing for the
9 first time, if you recall?

10 A On the date that one of the victims and
11 her, I believe, father, either contacted first by
12 phone or came into the police department, I can't
13 recall exactly which, I think it was probably the
14 March 14th date, which I see as the report date, or
15 thereabouts, and made the complaint. I received a
16 phone call from someone, I don't remember who, that
17 evening or -- I don't believe it was a workday, I
18 think it was a weekend or it was at night during the
19 week, one of the two, and they told me what had been
20 alleged.

21 Q And what did you personally do at that
22 point when you were made aware of that?

23 A Really nothing. I told the -- whomever it
24 was that called me to tell me about the
25 investigation, the report, I told them to keep me

1 informed.

2 Q Okay. And who was conducting the
3 investigation? In other words, who was in charge of
4 that initial investigation?

5 A Well initially the reporting officer,
6 whoever took the information and met initially with
7 the victim and her parent or parents, I don't recall
8 exactly which, was in charge of it at that point.
9 But it was assigned early on to an investigator, who
10 was Detective Joe Recarey.

11 Q Okay. All right. And the initial
12 reporting officer appears to be -- page 11 --
13 correct me if I'm wrong, but appears that it was
14 Michele Pagan?

15 A Yes.

16 Q Do you recall speaking with Officer Pagan
17 directly after she took the initial report?

18 A About this report?

19 Q About what she learned during her initial
20 interview?

21 A No.

22 Q Do you know when the first time was that
23 you learned Jeffrey Epstein was the subject of the
24 investigation, was that during the first call you
25 got?

1 A I think so, because we had the address and
 2 it was -- or we were able to figure out the
 3 address -- we didn't have the address -- early on.
 4 And it was very easy sort of to figure out who it
 5 would be, particularly in light of the prior
 6 information that we had.

7 Q In looking at this form incident report
 8 that we've marked as Exhibit 2, there's a section,
 9 is there not, for victim information?

10 A Yes.

11 Q Looks like pages 3 through 8. Am I
 12 understanding that form correctly?

13 A Yes.

14 Q All right. And how many victims according
 15 to the form were listed during the investigation?

16 A According to the form, seventeen.

17 Q Okay. And what is the standard practice
 18 for the department; in other words, why would
 19 someone be listed as a victim in a form like this
 20 according to department rules and procedures?

21 A Are you asking me the manner that they
 22 were listed in here, or why is any victim included
 23 in the incident report?

24 Q Let me clarify. There are different
 25 sections of the report that appear to be heading

1 such as suspect arrestee, section that says victim,
 2 and then in the last part a section that says other
 3 person information. Am I reading the form
 4 correctly?

5 A Yes.

6 Q Okay. I'm wondering how is it that
 7 department guidelines generally state that an
 8 officer should put someone in the victim information
 9 section versus in the other person information
 10 section?

11 A And there are other categories by the way,
 12 reporting person, complainant, witness and so on.

13 Q Correct.

14 A But a victim is categorized, classified as
 15 a victim if we believe there's a possibility that
 16 they're a victim of a crime.

17 Q Okay. So am I correct in stating that
 18 based upon the investigation, in order to put
 19 someone in the victim category there would have to
 20 be sufficient probable cause in the investigating
 21 officer's mind that there was a crime committed
 22 against that person to place them in that section?

23 MR. CRITTON: Form.

24 THE WITNESS: No. Probable cause really
 25 wouldn't be the standard of whether or not --

1 if a crime has been reported, I think that's --
 2 and the victim is present and we know that
 3 victim's identity, that really is enough at the
 4 early stage to get them put in a victim block.

5 BY MR. KUVIN:

6 Q Okay, fair enough.

7 Now with respect to the initial
 8 investigation, you said that you advised the officer
 9 to keep you informed of what was going on generally?

10 A Whomever originally informed me of this
 11 after the victim and the parent came forward and
 12 made the complaint, yes, I may -- I mean I may have
 13 said something like hey, are we doing this, are we
 14 doing that, which usually the officers of the
 15 department are so good I don't have to ask them
 16 that, but it's something I do anyways. And in a
 17 case like this it could have been, you know, have we
 18 contacted Victim Services and so on. I may have
 19 said something like that, but I do remember saying
 20 keep me informed because I realized that this was
 21 something that I wanted to be informed of as it
 22 progressed.

23 Q When is the next time that you can recall
 24 being updated on what was going on? I'm trying to
 25 get a chronology of the information you knew and

1 when you knew it. That's where I'm going with my
 2 questions.

3 A It was not long after the initial
 4 notification, it would have been a day or two or
 5 less. If it happened on a weekend, and we could
 6 look this up, I would have at a minimum heard about
 7 it in some more detail on a Monday. But it's a case
 8 that early on I was informed of the progress almost
 9 on a daily basis.

10 Q Okay. Would you agree with me that given
 11 the subject of the investigation, as well as the
 12 content and nature of the allegations that are being
 13 alleged, that this was potentially in your mind a
 14 high profile investigation?

15 MR. CRITTON: Form.

16 THE WITNESS: Could you repeat that?

17 BY MR. KUVIN:

18 Q Yes. I'm wondering if at the beginning of
 19 this investigation you were concerned at all that
 20 because of the nature of the allegations, as well as
 21 the subject of the investigation, that it may be a
 22 high profile type investigation?

23 And by high profile I'll define what
 24 I mean. I mean something that would catch the
 25 attention of press, media and potentially garner a

1 higher profile than your standard investigation?

2 MR. CRITTON: Form.

3 THE WITNESS: I was concerned first
4 because of the seriousness of the allegation.

5 BY MR. KUVIN:

6 Q Okay.

7 A Was I aware, did I realize that this could
8 become a high profile investigation, yes.

9 Q Is that why you wanted to be kept updated
10 frequently?

11 A For both reasons, yes.

12 Q Fair enough. What is the next thing in
13 chronology that you learned with respect to the
14 investigation and how it's going, factual
15 information that you start to learn?

16 A I mean this is four years ago, I don't
17 have every single conversation relating to this case
18 committed to memory in great depth. Because for a
19 period of time I heard about it quite frequently.
20 So I mean I can't tell you factually, but I would
21 generally know more information about the case as
22 the department became informed.

23 The early on the information was very
24 brief, the first phone call. And then I received
25 another phone call after there was some in-depth

1 interview of the victim, the first victim. And --

2 Q What did you learn about that?

3 A I remember generally that she described a
4 variety of different things that to the detective
5 conducting the investigation seemed credible. And
6 I'd remembered some suggestion that she was not the
7 only -- likely not the only victim.

8 Q Okay.

9 A I don't remember the detail of the
10 conversation of the second time I was informed about
11 this, but generally though, that's the best I can
12 characterize it.

13 Q Fair enough. Let me do it this way, I'm
14 not looking for a verbatim, exact date and time
15 information. Can you tell us generally, summarize
16 for us, what the progression of information was that
17 you learned regarding the investigation? Walk us
18 through what you learned generally about the
19 investigation?

20 MR. CRITTON: Form.

21 THE WITNESS: Well once it had been

22 reported to us, then I was reminded of the
23 prior reports of young women visiting
24 Mr. Epstein's residence and possibly even for
25 money. I began to learn more through the

1 detectives and people. And this is like
2 layers. I didn't generally talk to the
3 detective early on, he would talk to his
4 sergeant, would talk to his captain and then
5 end up talking to me, that more information
6 about what actually happened from the viewpoint
7 of the victim. Mr. Epstein himself, I knew a
8 little bit about him, but the department
9 certainly became better informed of by
10 reputation, at least news media for the most
11 part, of his life.

12 And then as time went on there were more
13 victims and more victims and all sorts of
14 different fact scenarios that were just
15 generally summarized for me. Once the report
16 was written I read it, and I just followed the
17 progress as the investigation proceeded.

18 BY MR. KUVIN:

19 Q Did you ever have a direct hand in
20 controlling the investigation, or did you leave that
21 up to the detectives?

22 A Well I generally have some involvement in
23 serious investigations. And what I mean by that as
24 involvement is, I become informed and I would
25 provide what I would consider guidance on how to

1 proceed. Did I ever personally become involved in
2 the investigation and interviewing witnesses or any
3 of those things, no. Did I control the
4 investigation, I suppose that if you asked Detective
5 Recarey he would say that at some point he was
6 reporting directly to me. And that was as much as
7 important to keeping me informed as to my
8 involvement in helping develop the investigation,
9 giving advice to those who were actually performing
10 it. But that's pretty much how I handle anything
11 serious.

12 Q Okay. What I'm trying to find out is if
13 you can recall as you sit here today, having
14 directed any of the officers to take any particular
15 action? In other words, go out and, you know,
16 surveil this person, or go do a tap on this phone or
17 go do something in particular?

18 A I try not to be autocratic, and I'm sure
19 at some point in this I said well, we're going to do
20 a search warrant, right, you need to do a search
21 warrant, or why don't you go re-interview this
22 witness because what I read here is really
23 incomplete, or -- you know, that kind of thing. Do
24 I specifically remember all of that, no, I don't.

25 Q Well do you remember what hand you might

1 have played with respect, and you mentioned the
 2 search warrant, but with respect to that warrant?
 3 In other words, did you have any hands-on direction
 4 or control over the warrant and how it was going to
 5 be filled out and what was going to be looked for?

6 A No.

7 Q Okay. Did you review the warrant prior to
 8 its issuance?

9 A I don't believe so. You mean application
 10 for the warrant?

11 Q Application for the warrant, yes.

12 A I don't think so.

13 Q As you became more and more informed on
 14 the progress of the investigation, what actions, if
 15 any, did you take that you can recall?

16 A I continued to be informed as it
 17 developed. Actions. My involvement relating to the
 18 actual investigation itself was pretty much limited
 19 to staying informed and providing advice and in
 20 probably some case direction to the investigators,
 21 who were all very competent.

22 This isn't -- when you have a
 23 well-functioning police department, the police chief
 24 doesn't go out there and tell people to do things,
 25 they know how to do things, and that's what they

1 did. More of keeping informed, and on some
 2 occasions providing direction. Never personally
 3 going out and actually doing any of this.

4 Q Can you recall your first contact with
 5 anyone outside the department regarding this
 6 investigation and, if so, who was that with?

7 A State Attorney Barry Krischer.

8 Q That was your first contact with anyone
 9 outside the department, your department, regarding
 10 the investigation?

11 A Well that is a huge broad question. I did
 12 make clear that we needed to keep this information
 13 very confidential for lots of reasons; rights of
 14 victims and potential news media interest and so on.
 15 But other than a Palm Beach Police Department
 16 employee, the first person that I think that I can
 17 remember talking about this would have been the
 18 state attorney.

19 Q Okay. That conversation, would that have
 20 taken place sometime late in 2005 or later, if you
 21 recall?

22 MR. CRITTON: Form.

23 THE WITNESS: Would have been 2005, yes.

24 BY MR. KUVIN:

25 Q And can you recall generally what that

1 first conversation was about with State Attorney
 2 Barry Krischer?

3 A I told him that we had an investigation
 4 that was serious that involved a very noteworthy
 5 person and that involved a number of underage
 6 females, that it was of a sexual nature. I was
 7 concerned that we had not reached all of the
 8 victims, and we hadn't, I'm sure, at that point. I
 9 told him that I felt like the suspect would probably
 10 become aware of this investigation at some point and
 11 that he should probably expect some contact from the
 12 suspect Mr. Epstein's lawyers. And I told him that
 13 I wanted to keep him very well informed on this and
 14 that I hoped that he would do the same. And that we
 15 would have to have more contact about this in making
 16 sure that it was handled responsibly, intelligently
 17 and appropriately as it moved forward.

18 Q Did you tell State Attorney Barry Krischer
 19 at the time who the suspect of the investigation
 20 was?

21 A Yes.

22 Q So he was aware at that time that it was
 23 Jeffrey Epstein?

24 A Yes, and he didn't recognize the name.

25 Q Fair enough.

1 You mentioned something that I want
 2 to ask you about, and that's you thought that
 3 ultimately Mr. Epstein would become aware of the
 4 investigation. How is it that you thought he might
 5 become aware of the investigation?

6 A Well the victims were very young juveniles
 7 and I had been made aware that some of the parents
 8 were enraged. I thought that there was a
 9 possibility that the individual juveniles or their
 10 family would contact Mr. Epstein. I thought that at
 11 some point they would hire lawyers, and obviously at
 12 some point they did, and I just -- I mean I'd been
 13 there a really long time, I know how investigations
 14 of this type -- well, investigations of noteworthy
 15 individuals and so on go, they're extremely
 16 difficult to contain. And I felt like this would
 17 be -- so I wanted the state attorney to hear about
 18 it from me first and make sure that we had some
 19 relationship established that we would work this
 20 together. And I knew that it would require some
 21 cooperation from his office. Our detectives had
 22 already talked to his assistants, but I don't think
 23 his assistants had informed him of the investigation
 24 at the point that I talked with him.

25 Q Okay. All right.

1 And at what point did you learn that
 2 Mr. Epstein, in fact, did become aware of the
 3 investigation?

4 A I think the point that I actually knew
 5 that it was, it was reported to me by one of the
 6 detectives that one of the victims had been
 7 contacted by a private investigator that the
 8 department believed was employed by a lawyer of --
 9 employed by Mr. Epstein.

10 Q On that topic, at some point did you
 11 become aware that Mr. Epstein was actually
 12 investigating you?

13 MR. CRITTON: Form.

14 THE WITNESS: Yes.

15 BY MR. KUVIN:

16 Q Tell me about that?

17 A Well I heard through various individuals
 18 that one of his lawyers, Mr. Dershowitz, had been
 19 contacting private investigators in the area to
 20 perform background investigations on me. I know
 21 that there was a public records law demand filed by
 22 several private investigators on the Town of Palm
 23 Beach for my personnel records. And I actually ran
 24 into one of the private investigators very early
 25 on -- you asked me when I first became aware --

1 Q Yeah.

2 A -- that basically told me that. I also --
 3 I mean I saw surveillance a number of times. I
 4 didn't know precisely who had hired those persons,
 5 but I mean I had surveillance for a fairly long
 6 period of time.

7 Q There was surveillance you noticed on you?

8 A Yes.

9 Q Do you know why?

10 A No, no, I don't. It would be an
 11 assumption. In general sense, you know, there's an
 12 attack on the case and if that doesn't work there's
 13 an attack on the investigators. I don't know. I
 14 don't know. Shouldn't say that.

15 MR. CRITTON: Form, move to strike.

16 BY MR. KUVIN:

17 Q You were working as a police officer for
 18 twenty-eight years and then as a chief -- well --

19 A And two years prior to that actually.

20 Q Right. During your entire history as a
 21 police officer, can you ever recall someone going to
 22 that length? In other words, a suspect conducting
 23 an investigation on you such as the lengths that
 24 occurred in this case which include surveillance on
 25 you?

1 A No.

2 Q First time ever?

3 MR. CRITTON: Form.

4 BY MR. KUVIN:

5 Q First time you can recall it going to this
 6 extent?

7 A The only time I ever recall anyone ever
 8 going to this extent.

9 Q How long were you aware there was
 10 surveillance on you personally?

11 A Well, you know, I just took the approach
 12 that I have nothing to hide, and I just lived my
 13 life so I tried not to look around every corner. I
 14 felt like it was around three months.

15 Q At any time during the investigation, did
 16 you become aware that investigators were also
 17 surveilling and investigating potential victims?

18 A That had been reported to us by victims.
 19 And the lead investigator in the case also felt like
 20 he was being surveilled, people were picking up his
 21 trash and so on.

22 Q Is that Detective Recarey?

23 A Yes.

24 Q So there was a time that your officers
 25 became aware it was being investigated on?

1 MR. CRITTON: Form.

2 THE WITNESS: One officer, one detective.

3 BY MR. KUVIN:

4 Q To the extent they were picking up his
 5 trash?

6 A Yes.

7 Q Were you aware of that ever occurring in
 8 your career to officers working under you?

9 A I didn't say it never occurred to this
 10 degree.

11 Q Got you.

12 A I think if you're asking the question do I
 13 know of any other law enforcement officers who know
 14 as part of their job somebody investigated them and
 15 picked up their trash, not that I can specifically
 16 recall.

17 Q Okay.

18 A Other than the police department itself,
 19 we've had private investigators take trash at the
 20 police department itself, we've caught people doing
 21 that.

22 Q Obviously at some point Mr. Epstein was
 23 tipped off as to the investigation because of the
 24 investigators that you became aware of. Did you
 25 ultimately know how he became tipped off?

1 MR. CRITTON: Form.
2 THE WITNESS: No.

3 BY MR. KUVIN:

4 Q During the investigation, were you made
5 aware of a prior incident involving a house manager
6 from Mr. Epstein, Juana Lessy (phonetic), who was
7 accused of burglarizing the home and stealing some
8 money?

9 A I was made aware of that, yes.

10 Q During the investigation, and by the
11 investigation I mean the investigation outlined in
12 Exhibit 2, during that investigation, did you become
13 aware that there was surveillance equipment
14 contained within Mr. Epstein's home?

15 A I remember hearing from the detectives
16 after the search warrant that there was some video
17 cameras, yes.

18 Q Did you at any time learn that there was
19 active surveillance video within the home because of
20 the fact that they had caught Mr. Leesey on film
21 many years prior on a burglary incident?

22 A Yes.

23 Q During the search of Mr. Epstein's home,
24 was there any surveillance, or were there any
25 surveillance tapes that were taken into custody,

1 Q What ultimately became of all that
2 evidence; where is it today?

3 A All the evidence that the police
4 department had relative to this investigation was
5 turned over to the FBI as a result of the grand jury
6 subpoena in the federal investigation. I seem to
7 recall some piece of evidence that we thought should
8 have been evidence was a computer that ended up in
9 the hands of a private investigator that I think was
10 employed by one of the lawyers representing
11 Mr. Epstein. But all we had in our custody, that
12 was turned over to the U.S. Attorney.

13 Q Let me ask you about that because I was
14 going to get to that. But the computer that you
15 were made aware of that ended up in the hands of the
16 investigator, tell me a little more about that?
17 What did you learn and when did you learn it?

18 MR. CRITTON: Form.

19 THE WITNESS: I don't remember a lot more
20 than that. I do -- I don't remember the
21 circumstances, but it ended up in a private
22 person's hands and I had wondered why that was
23 the case. I don't recall the specifics of it
24 and I do remember there were some discussions
25 about getting access to it, and I remember I

1 either tapes or videos or CD's? And any type of
2 media whatsoever, I want to be clear about that.

3 A I can't recall definitely, I can't. I'm
4 sure it's here included in the report that I have
5 not memorized. I can't say definitely. It's likely
6 but I'm not entirely sure.

7 Q Were you made aware --

8 MR. CRITTON: Move to strike, speculative.
9 BY MR. KUVIN:

10 Q Were you aware that at the time
11 Mr. Epstein's computers were seized during the
12 search?

13 MR. CRITTON: Form.

14 THE WITNESS: Yes.

15 BY MR. KUVIN:

16 Q Were you also made aware that certain
17 photographs were seized from the home during the
18 search?

19 A Yes.

20 Q Did you at any point get a chance to
21 review any of the physical evidence that was in fact
22 seized from Mr. Epstein's home?

23 A I had the chance but I never did it.

24 Q You never actually looked at any of this?

25 A No.

1 think asking the U.S. Attorney why aren't we
2 getting a search warrant for that. But I don't
3 remember anymore about it other than that. I
4 don't know whether or not it ever came into the
5 hands of the law enforcement at the Palm Beach
6 Police Department or the FBI.

7 BY MR. KUVIN:

8 Q Do you recall the name of the investigator
9 or investigating agency that ultimately that
10 computer you heard might have ended up in their
11 hands?

12 A No.

13 Q Did you write any e-mails or any written
14 communication to the U.S. Attorney's Office
15 regarding that computer? Was there any written
16 discussions about that?

17 A No.

18 Q Do you recall who you spoke with at the
19 U.S. Attorney's Office or FBI about that computer?

20 A I think it was Marie Villafana. She's the
21 U.S. Attorney.

22 Q Did the police department, the city, Town
23 of Palm Beach maintain any of the physical evidence
24 seized at Mr. Epstein's home after the grand jury
25 subpoena from the federal government?

1 A No. The grand jury subpoena was all
2 encompassing.

3 Q So they took everything out of your
4 department?

5 A Yes. Every item of evidence, yes.

6 Q Were you continually kept up to date about
7 the contemporaneous federal investigation?

8 A No.

9 Q They kept you apart or separated from
10 that?

11 MR. CRITTON: Form.

12 THE WITNESS: I received partial
13 information. I think they were very purposeful
14 in not keeping the Palm Beach Police Department
15 informed. And generally when we wanted
16 information while we still had an active
17 investigation in the state case, we would have
18 to ask for it.

19 BY MR. KUVIN:

20 Q Okay. Why was that?

21 A I think you have to ask them.

22 Q I didn't know if you knew or not. In
23 other words, if you started this investigation on a
24 state level, you all collected all the evidence from
25 the home in a search warrant and you had an active

1 investigation going, I'm wondering if you know why
2 the feds essentially took over and cut you guys out
3 of the loop so to speak?

4 MR. CRITTON: Form.

5 THE WITNESS: I do know -- I think I know.
6 We felt that -- I wouldn't say cut us out of
7 the loop, that's probably an inaccurate
8 characterization, but at some point it was
9 clear that the state case had gone as far as it
10 should be and the FBI began an investigation.
11 And when it was clear that this would be more
12 fully investigated by the FBI, because there
13 were elements according to the -- and even the
14 state, they really had the case, they had the
15 ability to investigate it and they had venue
16 and jurisdiction and that was very clear. And
17 when they asked originally for the evidence, I
18 had -- I talked to the State Attorney and told
19 him that. And I told them that I would supply
20 under some legal order, although I wasn't
21 planning on resisting it, and served with a
22 grand jury subpoena.

23 The second part of your question, at some
24 point someone from the U.S. Attorney's Office,
25 probably Marie Villafana, told me that in order

1 to -- let me clarify this -- was not a joint
2 federal state investigation, this was their
3 investigation and they felt they needed to do
4 this, I don't know, very cleanly and separate
5 from us in order for their investigation to
6 have full credibility. So early on I was very
7 tolerant of not being informed about their
8 investigation.

9 BY MR. KUVIN:

10 Q With respect to their investigation, at
11 any time did you in fact become aware of victims
12 outside of Palm Beach County?

13 A Yes.

14 Q When did you become aware of that and what
15 did you learn?

16 A Well as their investigation would go on,
17 they would principally communicate with our
18 Detective Recarey and tell him about some of the
19 details, usually only to the extent necessary to get
20 the information that Joe Recarey had, because
21 they're developing their case and they needed us to
22 help with that a little bit. So -- and so when they
23 had fact A and needed fact B, they came and told us
24 A and we would be able to fill in the blank.

25 On some occasion I did talk with

1 them, I talked with FBI Special Agent Nesbitt
2 Kirkendall, and she would tell me how the case was
3 developing generally, you know, in a very general
4 sense with nowhere near the level of specificity my
5 own detectives were able to keep me informed, and
6 that's how it went most of the time.

7 Q Specifically though, with respect to the
8 victims that might have been outside Palm Beach
9 County or the State of Florida, what did you learn
10 about them and when did you learn it?

11 A I don't think I learned their names until
12 months later.

13 I see he's holding up the five
14 minutes left.

15 Q You can answer that and then take a
16 bathroom break.

17 MR. CRITTON: Form to the last question.

18 BY MR. KUVIN:

19 THE WITNESS: Could you repeat?

20 BY MR. KUVIN:

21 Q Yes. I'm trying to find out what you
22 learned about potential victims outside of Palm
23 Beach County and the State of Florida and when you
24 learned it?

25 MR. CRITTON: Form.

1 THE WITNESS: Primarily I learned that
 2 they existed. Never really learned the details
 3 other than they were varied. The fact
 4 scenarios were very similar to the victims we
 5 had here in Palm Beach.

6 When you say outside of Palm Beach County,
 7 it could either -- you could mean that by
 8 saying the elements of the crime occurred out
 9 of Palm Beach County or there were victims that
 10 the elements in the event of crimes but I mean
 11 would apply to both situations.

12 BY MR. KUVIN:

13 Q Just before we take a quick break, did you
 14 also learn that the elements of the crime occurred
 15 to certain women outside of Palm Beach and the State
 16 of Florida?

17 MR. CRITTON: Form.

18 THE WITNESS: Yes.

19 BY MR. KUVIN:

20 Q And that's what I'm talking about just to
 21 clarify. Let's take a break. I'm going to come
 22 back and touch on that subject a little more when we
 23 come back.

24 (Brief Recess)

25

1 THE VIDEOGRAPHER: We're back on the
 2 record, 11:42. This marks the beginning of
 3 tape 2.

4 BY MR. KUVIN:

5 Q We were talking about victims that
 6 potentially were out of Palm Beach County or the
 7 State of Florida. At any time, did you learn how
 8 many potential victims may exist outside of the
 9 State of Florida where the elements of the crime may
 10 have occurred outside of the state?

11 MR. CRITTON: Form.

12 THE WITNESS: A precise number, no, an
 13 approximate number, yes. At some point in the
 14 federal investigation they shared with us that
 15 there were approximately forty victims. At the
 16 end of their investigation we had a situation
 17 where we didn't really know who were victims in
 18 the federal case, and that was important to us
 19 to see if we had victims who came to us late in
 20 the federal case to the Palm Beach Police
 21 Department and they complained. So if they
 22 were not part of the federal investigation,
 23 then I think we would have had some
 24 responsibility to investigate, even after the
 25 state sentencing had taken place. So I asked

1 the U.S. Attorney for some way to match that
 2 up, here's our victims. I offered to give them
 3 the list of our victims and to tell us whether
 4 or not every one of them have to be considered
 5 under the federal case and non-prosecution
 6 agreement. And what they did was sent me a
 7 letter which listed the federal victims with
 8 instructions to destroy the letter in some
 9 federal rules of procedure that I don't
 10 remember any of it because frankly I destroyed
 11 it. And from that letter I seem to recall
 12 there were high thirties, early forties' number
 13 of victims listed there. And the individuals
 14 who came to us later and made a state complaint
 15 were covered in the federal investigation so we
 16 didn't need to proceed further.

17 BY MR. KUVIN:

18 Q Okay, let me see if I understand this.

19 The feds at some point sent you a
 20 letter that listed all of their potential victims?

21 A Yes.

22 Q With instructions --

23 A I'm sorry. They listed the victims that
 24 were covered in their non-prosecution agreement,
 25 that's what I remember the letter to say.

1 Q Gotcha, okay. And that came with
 2 instructions to destroy the letter after reviewing
 3 it?

4 A Yes.

5 Q Pursuant to some federal legislation or
 6 law?

7 A I think it was a rule or something, I
 8 can't remember, yes.

9 Q Okay. And at some point you compared that
 10 list with the potential victims that you had in the
 11 state investigation?

12 A Yes.

13 Q Were there any additional girls in the
 14 state investigation that were not covered by the
 15 federal list? In other words, if there were thirty
 16 some odd, almost forty on that list, were there any
 17 additional that didn't match up to that?

18 A No.

19 Q They all matched up?

20 A Yes.

21 Q Do you still at the department -- well,
 22 let me ask it this way, you're not there anymore.
 23 But did you at the department, when you left, still
 24 have a list of all potential victims?

25 A No.

1 Q How did you keep that information when you
2 were there?

3 A It was a letter that I received from the
4 U.S. Attorney.

5 Q Hang on, back up, you misunderstood my
6 question. I'm talking about the state, your
7 investigation. In other words, what did you match
8 the forty some odd victims in the U.S. Attorney's
9 letter with in your list? I'm looking for your
10 list.

11 A The incident reports.

12 Q Okay. How many incident reports did you
13 all generate?

14 A I don't recall if the latter victim, or
15 victims, generated a new case number or if they're
16 included in this. It seems like it probably
17 generated a new case number but I can't say for
18 sure. But Detective Recarey would know.

19 Q Okay. All right. Would all of the
20 potential victims that were being investigated by
21 your department prior to let's say July of 2006,
22 have been listed in this incident report we've
23 marked as Exhibit 2? Were there any additional
24 incident reports?

25 MR. CRITTON: Form.

1 THE WITNESS: For the time period that
2 that covers --

3 BY MR. KUVIN:

4 Q Yeah. For the time period of January 27
5 of '05 through the last page of this Exhibit 2 is
6 July 12 of '06.

7 A I think there was only one report.

8 Q Okay.

9 A When you mention victims, and that's sort
10 of a subjective word, there were individuals that we
11 felt their activity had constituted a crime but they
12 were not cooperative.

13 Q Right.

14 A You know, they're not victims but they're
15 in here and the numbers change if you want to add
16 all them in.

17 Q Okay. And what I'm just trying to find
18 is, is in this particular report we've marked as
19 Exhibit 2, it has, if I recall, seventeen victims
20 listed and it goes through the date of July of '06.
21 Do you know how many girls approached the department
22 later on, total number?

23 A Definitely one and possibly more, I'm not
24 sure exactly. But once I realized that they had
25 been considered by the federal investigation, I knew

1 we had no further involvement. So it wasn't
2 something that I would be completely informed about.

3 Q Okay. At any point did someone, anyone,
4 come to you and either formally or informally ask
5 you to back off the investigation, stop the
6 investigation, or alter your investigation in any
7 way?

8 A I had individuals suggest that the
9 department's approach to the investigation and my
10 referral of the investigation to the FBI was more
11 horse power than the investigation deserved. And I
12 had other individuals suggest that -- yeah, the term
13 back off probably fits, yes.

14 Q Who?

15 A I think that Barry Krischer would be
16 included in that description.

17 Q Who else?

18 A I had people in the community in Palm
19 Beach that either made comments directly to me or to
20 others who relayed them to me that I didn't need to
21 take the tact in the investigation that we did,
22 which is completely investigate it and then refer it
23 to the FBI after the state case was resolved.

24 Q Do you remember any of those people that
25 mentioned it either to you directly or through your

1 department?

2 A Well it wouldn't be, I think, appropriate
3 for me to list individuals that I don't know
4 first-hand said that. I had many people relate
5 conversations of another on the cocktail party
6 circuit that suggested that we approach this in a
7 way that wasn't necessary. I had one individual who
8 actually came to see me a couple of times about
9 this.

10 Q Who was that?

11 A Jerry GoldSmith.

12 Q Okay. What did he say?

13 A He said that this wasn't necessary, this
14 was a case that really was very minor. The victims
15 had lifestyles that don't make them -- shouldn't
16 make them believable to the police department. And
17 he said that I shouldn't have referred it to the FBI
18 and Palm Beach solves its own problems, why did I do
19 that, why am I after Jeffrey Epstein. A couple of
20 occasions that was the general topic of the
21 discussion.

22 Q Did you know who Mr. Goldsmith was?

23 A Yes. I know them all.

24 Q Lives on the island?

25 A As far as I know, yes.

1 Q Did you get the impression that he was
 2 trying to get you to essentially either drop or
 3 smooth over or quiet down the investigation of
 4 Mr. Epstein in any way?

5 MR. CRITTON: Form.

6 THE WITNESS: Initially, yes.

7 BY MR. KUVIN:

8 Q And how did you respond to that when you
 9 spoke to him?

10 A I told him that those kinds of suggestions
 11 to me were improper and he should stop, that he had
 12 taken a couple of steps down the road towards
 13 something that could eventually constitute a crime.
 14 We talked several times. Early on it didn't end
 15 favorably.

16 You know, this is an individual which
 17 I had to interact with in my official capacity and
 18 in his official capacity as well. It was more
 19 difficult and more emphatic of what I had just
 20 described in our first conversation and less so in
 21 our last about it.

22 Q And just so the record is clear,
 23 Mr. Goldsmith is who?

24 A He's a resident of Palm Beach. He is
 25 still the chairman of -- I think, last knowledge of

1 Q Okay, fair enough. As a police chief, did
 2 you think that rich people deserve different
 3 treatment under the law?

4 MR. CRITTON: Form.

5 THE WITNESS: No. My responsibility was
 6 to protect everyone that lives in Palm Beach
 7 and preserve their constitutional rights and be
 8 the police department for all. And I think
 9 that under the law, particularly the criminal
 10 laws, that all people have to, by nature of our
 11 system, be treated exactly alike.

12 BY MR. KUVIN:

13 Q And you would agree with me that
 14 Mr. Epstein should not obtain any favors just
 15 because he may be a wealthy billionaire under the
 16 law?

17 MR. CRITTON: Form, argumentative.

18 BY MR. KUVIN:

19 Q Would you agree with that?

20 A Nor should he be treated any worse.

21 Q Fair enough.

22 Other than Mr. Krischer, did anyone
 23 have any discussions with you regarding
 24 Mr. Epstein's plea deal that you can recall?

25 A I had discussions with the U.S. Attorney,

1 mine, chairman of the police pension board. And he
 2 was a candidate for mayor on the last election of
 3 Palm Beach. And an acquaintance of mine for many
 4 years. And, you know, he described himself as a
 5 close friend of Mr. Epstein.

6 Q Is there anyone else that you can recall
 7 coming to you directly and trying to alter or quiet
 8 down the investigation in any way?

9 A I received comments from people from a
 10 variety of different viewpoints that -- nowhere near
 11 to the degree of those of Jerry Goldsmith, but -- in
 12 some cases I had people tell me hey, he's a Palm
 13 Beacher, why are you investigating a Palm Beacher.
 14 And, you know, my responsibility is to protect and
 15 investigate, or it was when I was chief, all the
 16 citizens.

17 And a couple of those were sort of,
 18 you know, somebody had a drink too many or something
 19 at an event and I really didn't give that too much
 20 credence. But for the most part I knew who, on the
 21 cocktail party circuit, had said that I kind of
 22 exceeded my bounds. But I know that all third hand
 23 and fourth hand and I don't even know if it's
 24 completely accurate, so I wouldn't feel comfortable
 25 in relaying any of that to you.

1 Assistant U.S. Attorneys.

2 Q Other than Ms. Villafana, who else did you
 3 speak with there?

4 A Well I spoke with Alex Acosta, the U.S.
 5 Attorney, and Nesbitt Kirkendall, the FBI agent.
 6 Her supervisor, Junior Ortiz. Mr. Sloman, whose
 7 first name escapes me, who was a special agent in
 8 charge of Miami. And these are all people that I
 9 interact with as part of my other responsibilities.

10 Q Sure.

11 A So I had conversations with them not as --
 12 we met for this reason, but we were together for
 13 some other reason, and there were, you know, some
 14 minor conversation concerning it. You know, there
 15 are others in the U.S. Attorney's Office, there are
 16 others.

17 Q Let me make it simpler. Was there anyone
 18 outside of the U.S. Attorney's Office, the FBI or
 19 the State Attorney's Office who ever discussed with
 20 you directly Jeffrey Epstein's plea deal?

21 A Well of course as I interacted in the
 22 community, people would read about it in the news
 23 media and make comments to me and, you know, would
 24 ask me questions. And that -- plenty of people.

25 Q Anyone with any authority to -- over you?

1 In other words, was there anyone with authority over
 2 your position as Chief of Police at the time they
 3 had discussions with you about that plea deal?

4 A Well who has authority over my position as
 5 Chief of Police, that's only one person, that's the
 6 Town Manager. The Town Manager has hire, fire
 7 responsibility, I am a direct report to him. And,
 8 yes, I did have conversations with him because I
 9 wanted to have him informed. Because this was on
 10 the news media, there were things being written
 11 about the investigation, about me personally, and I
 12 wanted him to know about those things from me. So I
 13 had -- his name is Peter Elwell, he was Town Manager
 14 the entire time. He is still Town Manager and was
 15 the entire time that I was the Chief, and throughout
 16 this investigation I talked with him about it
 17 several times.

18 Q And it's E-L-W-E-L-L?

19 A Yes.

20 Q Did he ever try to at any point guide
 21 either your investigation or discussions regarding
 22 plea deals for Mr. Epstein?

23 A No.

24 Q Were any suggestions ever made to you by
 25 Mr. Elwell about what plea Mr. Epstein should or

1 an unfavorable career move for me to ask the State
 2 Attorney to remove himself from the case and to
 3 refer it to the FBI and to advise the victims that I
 4 was going to do that. I had plenty of people that
 5 told me that that was a mistake.

6 Q Can you recall anyone in particular that
 7 said that to you directly? And I'm not talking
 8 about, you know, residents of the town that just may
 9 be on a cocktail circuit, I'm talking about somebody
 10 that you either knew directly or someone that worked
 11 for the city or someone that said they worked for
 12 Mr. Epstein?

13 MR. CRITTON: Form.

14 THE WITNESS: I never feared that, no. I
 15 had friends of mine that've said wow, do you
 16 realize what you just did was like a really big
 17 thing, and people were going to look at you a
 18 little differently now. I mean, yes, I had
 19 that, but I never considered any of those
 20 things a threat to my job. And if I did, it
 21 wouldn't matter, people threaten my job on a
 22 regular basis for a variety of different
 23 things.

24 BY MR. KUVIN:

25 Q Did anyone come to you purporting to be

1 should not get?

2 A No.

3 Q In other words --

4 A We didn't have that kind of relationship.
 5 He recognized that I was the law enforcement
 6 professional and he didn't step into that world at
 7 all, he was very supportive.

8 Q Okay. At any point was your job ever
 9 threatened as a result of the investigation into
 10 Mr. Epstein?

11 A No. Because again, one person has control
 12 over my job and that's the Town Manager, and I knew
 13 that he supported me and thought that I was a
 14 competent Police Chief and gave me extremely
 15 favorable evaluations and never, ever said anything
 16 about this case, about how I should do anything.

17 Q Regardless of whether someone did or did
 18 not have the actual authority over your job; in
 19 other words, whether they had that ability to fire
 20 you or not, do you recall receiving any threats to
 21 your job with respect to the investigation? In
 22 other words, someone that may not have had the
 23 actual authority to fire you but nonetheless
 24 threatened your job?

25 A No. I mean I had people that said it was

1 from Mr. Epstein or representing Mr. Epstein
 2 directly to talk to you about the plea deal?

3 A I suppose Jerry Goldsmith would fit that.
 4 He basically introduced me at one point to
 5 Mr. Epstein and I don't think he realized what he
 6 had begun to do and he was trying to help out a
 7 friend, and I think he truly thought that the case
 8 was a tempest in a teacup.

9 Q Okay. At some point during the
 10 investigation, did you become aware that requests
 11 were made to interview Mr. Epstein? In other words,
 12 did your department request an interview of
 13 Mr. Epstein directly?

14 A Yes.

15 Q And what was the response to that request?

16 A Well we did it through the State
 17 Attorney's Office because we knew that they had
 18 contact with Mr. Epstein's attorneys and at that
 19 time I think it was primarily Mr. Dershowitz. And
 20 initially there was an interview set up, which I
 21 thought that was great because, you know, I mean I
 22 want to get all the facts before we really move
 23 forward and accuse anybody of anything. And it was
 24 cancelled, then it was rescheduled and it was
 25 cancelled at least a couple of times.

1 Q And did it ever actually take place?
 2 A No.
 3 Q Never got a chance to actually sit down
 4 and speak with him?
 5 A After the point of when we began the
 6 investigation as part of the investigation?
 7 Q Yes.
 8 A No.
 9 Q Okay. Did there come a time when you were
 10 told that he was not going to sit for an interview?
 11 A I think so, yes.
 12 Q Do you recall --
 13 A Scheduled, rescheduled situation, you
 14 know. At the end of that I think that we were told
 15 it wasn't going to happen.
 16 Q Okay. I'm going to go through a number of
 17 people that represented or purported to represent
 18 Mr. Epstein from time to time.
 19 Let me just ask you real quickly, do
 20 you recall having any direct conversations with
 21 Mr. Dershowitz?
 22 A Did I ever?
 23 Q Yes.
 24 A No.
 25 Q Do you recall ever having any direct

1 conversations with Jack Goldberger, the gentleman
 2 sitting here?
 3 A In my life, yes.
 4 Q No, I just mean with respect to this
 5 investigation?
 6 A Probably only just in passing in the
 7 hallway today. I don't think that we talked during
 8 the investigation. I think that it's a -- I
 9 remember he asked personally at the department if
 10 there's a possibility, that a representative to the
 11 department may have, but I don't remember.
 12 Q Just talking about you --
 13 A Okay.
 14 Q And the time frame I'm looking at here is
 15 prior to, let's say today, where you may have seen
 16 some of these gentlemen standing out in the lobby,
 17 prior to today, can you recall having any
 18 conversations with the Burman, Critton firm or
 19 Mr. Critton here today who's Mr. Epstein's civil
 20 attorneys?
 21 A No.
 22 Q Do you know a Mr. Attenbury?
 23 A No.
 24 Q Do you know a Dahlia Weiss, Assistant
 25 State Attorney Dahlia Weiss?

1 A Yes.
 2 Q Do you recall having any conversations
 3 during the investigation with her?
 4 A I think so.
 5 Q Tell me about that? What do you recall
 6 generally?
 7 A Well early on when we were conducting the
 8 investigation, we needed investigative subpoenas and
 9 other things from the State Attorney's Office. And
 10 there were a couple of occasions when our detectives
 11 felt as though our investigation and the things that
 12 we would need from the State Attorney's Office would
 13 benefit by my talking to them, and I did. I think I
 14 talked to her at least once, I don't remember when,
 15 and I don't remember what about. I know I talked
 16 with her superior, a Lanna --
 17 Q Lanna Belohlavek?
 18 A Yes, Belohlavek, at least once, and
 19 probably more than one time.
 20 Q At what time, if ever, did you learn that
 21 Dahlia Weiss was going to be removing herself from
 22 the investigation?
 23 A I learned about it from Detective Recarey.
 24 At what point, I think I learned about her
 25 relatively soon after it happened. Because we were

1 told -- our investigators were told that she was no
 2 longer involved in the case.
 3 Q And did you learn why?
 4 A Well our detectives were either told or
 5 figured it out on their own and passed on to me that
 6 her husband, I believe, was a member of a law firm
 7 that represented Mr. Epstein.
 8 Q At any time did you become concerned that
 9 she may have been sharing any information with
 10 Mr. Epstein or his lawyers?
 11 A I became concerned when I was made aware
 12 of it, that I felt like it was improper and a
 13 conflict of interest.
 14 Q Did you contact anyone about that?
 15 A I either had a discussion about it with
 16 the FBI or the U.S. Attorney or it was a piece of
 17 information that they relayed to me, one of the two.
 18 I know that -- now would I
 19 characterize that as a complaint, I felt it was
 20 improper. I didn't personally make a complaint in
 21 reference to that but I had some discussion with the
 22 federal authorities about that being improper. I
 23 don't know who initiated that.
 24 Q Do you know whether the federal
 25 authorities began looking into that connection at

1 all; in other words, the impropriety of it or
 2 investigate whether or not there were any
 3 conversations going back and forth that should not
 4 have occurred?
 5 A I don't know if they did.
 6 Q Do you know whether or not the ASA
 7 Ms. Weiss was removed before or after you learned
 8 about it?
 9 A I learned about it before then.
 10 Q Before she was removed?
 11 A Well I learned about it before I became
 12 aware that she was either removed or removed
 13 herself.
 14 Q What I'm trying to find out is, is that do
 15 you know whether she removed herself independent of
 16 it coming to light or whether or not she was
 17 ultimately removed because of what you learned?
 18 A I don't know.
 19 Q Do you know who Mr. Reinhart is? Does
 20 that name sound familiar at all?
 21 A Is that Bruce Reinhart?
 22 Q Yes, Bruce Reinhart, one of the U.S.
 23 Attorneys on the criminal case.
 24 MR. CRITTON: Form.
 25 THE WITNESS: I recognize the name, yes.

1 BY MR. KUVIN:
 2 Q Did you become aware at some point that he
 3 was actually was hired by Mr. Epstein to represent
 4 him after leaving the U.S. Attorney's Office?
 5 MR. CRITTON: Form.
 6 THE WITNESS: I think -- I know that I
 7 recall knowing that a former U.S. Attorney or
 8 several former U.S. Attorneys were retained by
 9 Mr. Epstein, but I don't specifically recall he
 10 being one of them.
 11 BY MR. KUVIN:
 12 Q Do you recall whether or not Mr. Reinhart
 13 was involved in the investigation from the federal
 14 level?
 15 A I wouldn't know as far as the U.S.
 16 Attorney's Office goes. I think I spoke to -- I did
 17 not speak to him relative to this investigation.
 18 There were several others but I don't believe he was
 19 one that I talked with.
 20 Q Did you get the impression at any point
 21 that Mr. Epstein was trying to somehow control the
 22 information that was being discovered about him,
 23 either directly or who he was hiring or who was
 24 involved in the investigation, or anything like
 25 that?

1 MR. CRITTON: Form.
 2 BY MR. KUVIN:
 3 Q Do you understand my question?
 4 A No.
 5 Q Let me rephrase it.
 6 Dahlia Weiss, an attorney who was
 7 working as an Assistant State Attorney on this case,
 8 correct?
 9 A Yes.
 10 Q Her husband worked for Mr. Epstein's
 11 criminal attorney Jack Goldberger, worked with him
 12 as a partner. One of the U.S. Attorneys who was
 13 involved in the investigation was hired by
 14 Mr. Epstein as one of his attorneys. Were you aware
 15 of any other connections between the investigative
 16 teams and Mr. Epstein other than those two
 17 individuals?
 18 MR. CRITTON: Form.
 19 THE WITNESS: I heard that one of the
 20 Assistant U.S. Attorneys, and this is -- it
 21 would be -- this is a rumor and I don't want to
 22 report a rumor.
 23 BY MR. KUVIN:
 24 Q Well it's my job to follow up on that
 25 rumor to see if it's true. Whether it's admissible

1 or not, I agree with you, but I'd like to understand
 2 what the rumor is you heard so that I can
 3 investigate it. What is it?
 4 MR. CRITTON: Form.
 5 THE WITNESS: That one of the Assistant
 6 U.S. Attorneys, the managing Assistant U.S.
 7 Attorney in this office, at least I was told,
 8 is employed by a law firm that either has a
 9 relationship or is assisting with this case
 10 from Mr. Epstein's side. And, you know, if I
 11 thought for a second I would remember his name
 12 if that's important to you.
 13 BY MR. KUVIN:
 14 Q Okay. During the investigation at all,
 15 did you generate any internal memoranda or e-mails
 16 other than the formal reports? In other words, did
 17 you e-mail anyone at the U.S. Attorney's Office or at
 18 the Assistant State Attorney's Office or generate
 19 any additional memos to them?
 20 A No.
 21 Q Was there any e-mail communication
 22 regarding this investigation that you can recall?
 23 A People sent me e-mails, you know, because
 24 Chief of the Police dot com was answered by my
 25 assistant, and I had many e-mails from people that

1 blamed me for the lack of the state prosecution or a
 2 variety of different things, or you protect the Palm
 3 Beachers or so on. And, you know, I never responded
 4 to any them. I mean I had those at some point.
 5 But, no, did I use that as a way to communicate --
 6 this is the question you asked me?

7 Q Yes.

8 A The U.S. Attorney or the State Attorney's
 9 Office, no.

10 Q Those e-mails though, that you may have
 11 received on your official e-mail address, are those
 12 kept? And if they're kept, who keeps them and how
 13 can we obtain them if we wanted to see them; in
 14 other words, at the time you were there?

15 A There would be a retention period that I
 16 would imagine is expired and they would be kept in
 17 an electric format. And they're probably erased
 18 once the state organization that, you know, they can
 19 put out a guideline of how long you have to keep
 20 those things and they routinely destroy them after
 21 that. And I would think that we're beyond that time
 22 period, that --

23 Q Okay.

24 A I think that retention period's probably
 25 only a year or two.

1 Q When you were there, who was in charge of
 2 trying to obtain that information if a request came
 3 in for it?

4 A The custodian of records in the police
 5 department would accept those sorts of --

6 Q At the time you were there?

7 A Well, Laura Oregero, O-R-E-G-E-R-O.

8 Q Do you know if she's still there?

9 A I believe she is.

10 Q At any point, did you have any
 11 conversations with Rick Bradshaw or anyone in his
 12 staff concerning the treatment that Mr. Epstein was
 13 receiving in jail?

14 A Yes.

15 Q Tell me about those?

16 A I interacted with the sheriff sometimes on
 17 a daily basis. We served on boards together and a
 18 variety of different things. And as part of some
 19 other meeting at one point he did mention to me hey,
 20 you know, we're going to have to let Mr. Epstein out
 21 on work release at some point. That was a
 22 conversation.

23 I think another time I said something
 24 like, asked him a question, you know, what kind of
 25 inmate is Mr. Epstein, and he said model. I think

1 that's the extent of probably two or three different
 2 conversations.

3 Q When you learned that he was going to be
 4 let out early on work release, what was your
 5 response to that?

6 A My response to him?

7 Q When you learned that he was going to be
 8 let out on work release, what was your response?

9 A I was surprised.

10 Q Why?

11 A Well the crimes that were eventually
 12 charged and part of the plea and the short period of
 13 incarceration and the fact that that was done in the
 14 county jail rather than the state system, which
 15 would have been typical, you know. Work release is
 16 something that generally takes a while to earn your
 17 way up to, at least as an observer, not the person
 18 responsible for that. And I thought that it was a
 19 little surprising giving the circumstances that he
 20 would be given a work release.

21 MR. CRITTON: Let me just strike this,
 22 speculation, his last answer based on what he
 23 said.

24 BY MR. KUVIN:

25 Q Do you think that Mr. Epstein in your

1 opinion and in your experience in working as a
 2 police officer and ultimately Chief of Police for as
 3 many years as you did, do you think that Mr. Epstein
 4 got preferential treatment because he was wealthy --

5 MR. CRITTON: Form.

6 BY MR. KUVIN:

7 Q -- with respect to both his prosecution
 8 and his ultimate conviction and sentence that he
 9 served?

10 MR. CRITTON: Form.

11 THE WITNESS: The question is, do I think
 12 that he got preferential treatment because he
 13 is wealthy. I can't speculate why he was
 14 treated the way that he was, that wasn't my
 15 decision.

16 BY MR. KUVIN:

17 Q Do you think that he got preferential
 18 treatment nonetheless?

19 MR. CRITTON: Form.

20 BY MR. KUVIN:

21 Q Based on your experience?

22 A Yes.

23 Q And I understand you don't want to

24 speculate why he got preferential treatment, but do
 25 you have any ideas why?

1 MR. CRITTON: Form.
 2 THE WITNESS: That's not my role as Police
 3 Chief.
 4 BY MR. KUVIN:
 5 Q How did you ultimately learn what was
 6 going to happen with respect to the federal
 7 investigation; who told you that for the first time?
 8 A Well it changed so many different times.
 9 The final outcome when it had been agreed upon,
 10 Assistant U.S. Attorney Marie Villafana shared with
 11 me in a general sense that there was a
 12 non-prosecution agreement and told me what
 13 Mr. Epstein would plea to in state court, and just
 14 in a very general sense.
 15 Q What were your thoughts about what
 16 occurred with respect to the federal investigation?
 17 MR. CRITTON: Form.
 18 BY MR. KUVIN:
 19 Q In other words, did you respond to her and
 20 tell her what you were thinking?
 21 MR. CRITTON: Form.
 22 THE WITNESS: I had been telling her what
 23 my thoughts were about the investigation and
 24 the prosecution all along. I don't think when
 25 she told me what was going to happen -- did I

1 make a comment about it?
 2 BY MR. KUVIN:
 3 Q Yes.
 4 A If that's what your question is, yes. All
 5 along my concern was that he would be classified as
 6 a sexual offender and all of the provisions that
 7 travel along with that so there wouldn't be
 8 opportunity, or be far less opportunity, for
 9 additional victims to take place. And I think I
 10 shared with her some sense of relief that that was a
 11 part of the plea. Beyond that, there really wasn't
 12 a need to say anything else.
 13 Q Did you discuss with her the fact that the
 14 feds were not going to prosecute; in other words,
 15 the federal government weren't going to prosecute
 16 the case?
 17 A You know, I guess I have to sort of pose
 18 this question that this is part of the, I suppose,
 19 the work product of the U.S. Attorney's Office. Is
 20 this the kind of thing that I should be talking
 21 about? I mean is this privileged from the federal
 22 end for me to talk about the conversations I had
 23 with the United States Attorney?
 24 MR. RANDOLPH: I think if you have any
 25 discomfort at all in regard to whether it is,

1 that you should not answer that question.
 2 BY MR. KUVIN:
 3 Q I certainly don't think once your
 4 investigation is closed that there's any problem
 5 with having the discussion if it's a closed
 6 investigation, which it is now.
 7 Well let me ask that. Is your
 8 investigation closed with respect to Mr. Epstein?
 9 A I'm retired. So as far as I know when I
 10 left it was a closed investigation, yes.
 11 Q Okay. So when you left, the investigation
 12 with respect to Mr. Epstein was closed?
 13 A Yes. I don't know if the federal
 14 investigation is closed.
 15 Q Fair enough.
 16 You didn't though learn of any new
 17 investigation with respect to the Town of Palm
 18 Beach's duties after you left, did you?
 19 A No.
 20 Q So as far as you know, as you sit here
 21 today, the Town of Palm Beach's investigation is
 22 over as far as you know?
 23 A Yes.
 24 MR. KUVIN: Then at that point, once the
 25 investigation's closed, I certainly don't see

1 that there's any privilege with respect to
 2 those communications that he may have had on a
 3 closed investigation.
 4 MR. RANDOLPH: He's not stating a concern
 5 in regard to the closed investigation of the
 6 town, he's stating his concern in regard to a
 7 federal investigation and stated he does not
 8 know whether there's any ongoing investigation
 9 in that regard, I believe, and he has concerns
 10 revealing that.
 11 BY MR. KUVIN:
 12 Q Well with respect to your communications
 13 with the U.S. Attorney's Office regarding your now
 14 closed investigation, do you recall discussing with
 15 them the non-prosecution agreement, let's just start
 16 there? Generally, did you discuss that with them?
 17 A Yes, I discussed that with them. And it's
 18 different iterations as it went along. They shared
 19 some portion of the information. I still today have
 20 not seen the non-prosecution agreement but they
 21 shared some of the provisions with me.
 22 Q Okay. Based upon what was shared with
 23 you, did you at any point discuss your
 24 dissatisfaction with that agreement in any regard?
 25 A Yes.

1 Q Why?
 2 A Well I had been told by the U.S.
 3 Attorney's Office that typically these kinds of
 4 cases with one victim would end up in a ten-year
 5 sentence. And they told me early on that they had,
 6 I guess in earlier iterations of agreement, tried to
 7 get some sort of a fund set up which I understand
 8 there are provisions for in federal law to
 9 compensate the victims. And I think I remember
 10 asking that when they told me that the agreement had
 11 been signed, and I think it was changed a time or
 12 two and they told me that that was not a part of it.

13 Because I always felt that this case,
 14 it was all about the victim, that's reason to do
 15 this. And I did -- I think they told me that this
 16 fund had not been a part of the final version and I
 17 told them that I was disappointed in that. But they
 18 didn't really give me the details of it, they gave
 19 me an overall explanation and they said it was going
 20 to be sealed.

21 And I understand it's been unsealed
 22 but I haven't -- I haven't read it. Along the way I
 23 gave general comment when they would inform me about
 24 parts of it. Because they asked for my input, I
 25 would give them general comment about the parts of

1 it that were important to me. And the part that was
 2 important to me is the classification as a sexual
 3 offender.

4 Q Okay. Did you, at any time, learn why
 5 they entered into a non-prosecution agreement as
 6 opposed to prosecuting the forty some odd cases?

7 MR. CRITTON: Form.

8 THE WITNESS: No.

9 BY MR. KUVIN:

10 Q Never gave you an explanation on that?

11 A No.

12 Q You know the name Ken Starr?

13 A Yes.

14 Q Did you learn that name with respect to
 15 this investigation at all?

16 A From the news media. And I think maybe
 17 the U.S. Attorney's Office mentioned to me that he
 18 either represents or did represent Mr. Epstein.

19 Q Do you know what discussions were had with
 20 Ken Starr regarding the federal investigation at
 21 all; did you ever become aware of that?

22 A No.

23 Q Do you know what influence Mr. Starr may
 24 have exerted on the U.S. Attorney's Office and the
 25 DC Office at all regarding this investigation, if

1 any?

2 A No.

3 Q At some point you sent a letter to State
 4 Attorney Barry Krischer. Let me show you what we'll
 5 mark as Exhibit 3. Let me give you a chance to just
 6 read through this letter again to help refresh your
 7 recollection.

8 A I've read it.

9 Q At this point, in May of 2006, I'm
 10 assuming based on what you told us before, that you
 11 had had some conversations with Barry Krischer
 12 directly at this point by phone, correct, prior to
 13 this letter?

14 A I had conversations in person and by
 15 phone.

16 Q Okay. But nonetheless in May, May 1,
 17 2006, you felt the need to write this letter; is
 18 that correct?

19 A Yes.

20 Q Can you tell us why?

21 A Well I felt the handling and just
 22 continued to feel that the way the State Attorney's
 23 Office handled this case was extremely unusual. I
 24 felt that Mr. Krischer's -- I knew that Mr. Krischer
 25 was making decisions about this case. I felt that

1 his objectivity was lacking, and I felt that the
 2 appropriate way after reading the statute that
 3 governed the assignment of cases to other circuits,
 4 I felt that his action met the standard. I used
 5 some of the words from the statute in here. And I
 6 attempted to call him and he wouldn't return my
 7 phone calls.

8 The detective attempted to contact --
 9 his contact in the State Attorney's Office, Lanna
 10 Belohlavek, however you pronounce that, I apologize
 11 if I have it wrong, and she wouldn't return his
 12 calls. So I wrote the letter in hope that he would
 13 think about his situation and realize that his
 14 objectivity was insufficient to prosecute the case
 15 and ask the governor to appoint someone else. And I
 16 felt like that was necessary for a fair prosecution
 17 of our case that we submitted to him.

18 Q Could you tell us, explain to us, why you
 19 felt that his objectivity may be lacking in regards
 20 to this prosecution?

21 MR. CRITTON: Form.

22 BY MR. KUVIN:

23 Q In other words, what evidence did you see
 24 here uncover that you felt made it potentially
 25 non-objective?

1 MR. CRITTON: Form.
 2 THE WITNESS: Well, early on I had -- when
 3 I first told him about the case and I realized
 4 that it was a serious case, there were multiple
 5 victims, that the suspect was very well known,
 6 I told him about it. And we were -- it was in
 7 person, I talked to him after a meeting that he
 8 and I were both involved in. And I had known
 9 him to be a victim advocate and to protect the
 10 rights of children. Well I know that he even
 11 wrote a portion of the statute that addresses
 12 those issues. And when I told him about it
 13 originally he said let's go for it, this is an
 14 adult male in his fifties who's had sexual
 15 contact with children of the ages of the
 16 victims. He said this is somebody who we have
 17 to stop. And whatever we need, he said, in the
 18 State Attorney's Office, we have a unit that's
 19 equipped to investigate and prosecute these
 20 kinds of cases. I think he probably mentioned
 21 Lanna's name to me and anything that you need
 22 and, you know, this is basically a case that
 23 needs to be prosecuted.
 24 And I didn't have too many facts early on
 25 when I talked with him, but I knew that there

1 were multiple victims and to our detectives
 2 they were believable. So when time went on and
 3 Mr. Epstein became aware of the investigation
 4 and his lawyers contacted the State Attorney's
 5 Office, they told me that.
 6 And from that point on, and I believe it
 7 was Mr. Dershowitz initially, the tone and
 8 tenor of the discussions of this case with
 9 Mr. Krischer changed completely. One point he
 10 suggested that we write him a notice to appear
 11 which would be for a misdemeanor. He just
 12 completely changed from not only our first
 13 conversation about this and he didn't know the
 14 name Jeffrey Epstein, till when he had been
 15 informed on Mr. Epstein's reputation and his
 16 wealth, and I just thought that very unusual.
 17 I feel like I know him or knew him very
 18 well, the State Attorney, and I just felt like
 19 he could not objectively make decisions about
 20 this case; that is why I wrote it.
 21 BY MR. KUVIN:
 22 Q Was there anything that you learned
 23 through discussions with him that led you to believe
 24 maybe his objectivity had been altered in some
 25 regards; in other words, anything he told you

1 directly?
 2 MR. CRITTON: Form.
 3 THE WITNESS: He told me that he had
 4 conversations with Mr. Dershowitz. I know Roy
 5 Black. At least the news media reporter was
 6 involved in this and I think that he said that
 7 he had a conversation with him. I think Roy
 8 Black had another case with that circuit around
 9 the same time and maybe even other lawyers that
 10 represented Mr. Epstein, and they were
 11 obviously discussing the case. And he
 12 basically told me that he looked at Facebook
 13 pages of some of the victims and that he felt
 14 like they were incredible.
 15 And I have never felt like prosecutions,
 16 evidence should be weighed outside of the
 17 judicial process. I just don't -- we wouldn't
 18 cover our ears and eyes when a person under
 19 investigation's lawyer would bring forward
 20 exculpatory evidence, but on the other hand
 21 we're not the weigher of fact in these things.
 22 We reach the standard of probable cause and
 23 beyond, and that's when a judge, or in this
 24 particular case a State Attorney, should make
 25 those decisions.

1 And he had been meeting with them without
 2 the presence of our investigators. I don't
 3 mean he personally but at least -- probably he
 4 personally but definitely members of his
 5 office, and he hadn't been sharing that
 6 information with us.
 7 He hadn't, you know -- he characterized it
 8 with me but he didn't show us the things, at
 9 least not exhaustively, that had been given to
 10 him by Mr. Epstein's attorneys. I just felt
 11 like that was wrong. Those are the reasons.
 12 BY MR. KUVIN:
 13 Q Have we exhausted the reasons why you felt
 14 that this case, at least you put in your letter,
 15 was the handling of this case was highly unusual?
 16 Was there anything else that you felt was highly
 17 unusual regarding the investigation?
 18 A Well the Dahlia Weiss being involved in
 19 this case with her husband as a lawyer for -- I'm
 20 not saying that anything happened there, but there's
 21 certainly an appearance of impropriety. I felt like
 22 that alone should have been reason enough. First of
 23 all for her to be disqualified as soon as she became
 24 aware that a law firm that -- not disqualified but
 25 removed from the case as soon as she became aware

1 that her husband's law firm had represented Mr.
 2 Epstein. And maybe even done damage to the point
 3 that because that happened it should be handled by
 4 another circuit.

5 This was a case that I felt
 6 absolutely needed the attention of the State
 7 Attorney's Office, that needed to be prosecuted in
 8 state court. It's not generally something that's
 9 prosecuted in a federal court. And I knew that it
 10 didn't really matter what the facts were in this
 11 case, it was pretty clear to me that Mr. Krischer
 12 did not want to prosecute this case.

13 Q Did he, in fact, make that clear to you at
 14 some point verbally?

15 A Not in those exact words. But the
 16 suggestion that multiple victims and some of the
 17 crimes, felonies, that he should write a notice to
 18 appear for a misdemeanor and the scheduling of a
 19 grand jury on an issue like this is extremely rare.

20 The fact that he and I had an
 21 excellent relationship. I was the speaker at his
 22 swearing in ceremony. And that he wouldn't return
 23 my phone calls, I mean it was clear to me by his
 24 actions that he could not objectively look at this
 25 case.

1 Q At some point, did you feel, or did you
 2 become aware, that maybe he had been threatened in
 3 some regard, either regarding his job or personally
 4 in any regard?

5 A No.

6 MR. CRITTON: Form.

7 BY MR. KUVIN:

8 Q You're aware that obviously his position
 9 is an elected position?

10 A I am aware.

11 Q Did you know whether or not he had had any
 12 discussions with anyone about his political career
 13 if this case did not go a certain way; did you ever
 14 become aware of that in any regard?

15 MR. CRITTON: Form.

16 THE WITNESS: No. He had already publicly
 17 announced he wasn't running for re-election.

18 MR. KUVIN: All right. This is actually a
 19 good stopping point for a quick lunch if you
 20 want to take a quick one, I just have to eat.
 21 I'm hopefully not far from concluding.

22 THE VIDEOGRAPHER: We're off the record at
 23 12:35. This is the end of tape 2.

24 (Recess)

25 THE VIDEOGRAPHER: We're back on the

1 record at 1:44. This is the beginning of tape
 2 3.

3 BY MR. KUVIN:

4 Q Okay. When we left off we were talking
 5 about Barry Krischer's office. And before I move on
 6 from that subject I just have one other question.

7 Are you aware of any contact that was
 8 made with Mr. Krischer's office from anyone in the
 9 democratic party or the DNC at all?

10 MR. CRITTON: Form.

11 THE WITNESS: Relative to this case?

12 BY MR. KUVIN:

13 Q Yes, relative to the Epstein case?

14 A No.

15 Q Are all of the officers that were involved
 16 in the investigation listed or contained within the
 17 incident report that we've marked as Exhibit 2, and
 18 were there any additional officers that were
 19 involved that may not be listed in there?

20 A Typically and generally when you say
 21 involved, I mean that could encompass all sorts of
 22 different people. It might be -- I don't even know
 23 that this was the case but it might ask the patrol
 24 officer in the area to collect license tags from a
 25 street or something like that. I mean if they

1 aren't writing a report and they aren't doing
 2 something that's probably important later on as a
 3 witness, they might not appear in there. But the
 4 detectives who conducted the investigation are
 5 listed in there from what I recall the last time I
 6 read it, and it's been a while, but as far as I
 7 know.

8 Q At any point, did you have to remove for
 9 any reason anyone in your department from the
 10 investigation for any reason?

11 A No. It took place over a fairly long
 12 period of time so people were transferred and so on,
 13 but I didn't personally remove someone for any
 14 reason.

15 Q And it may not have been you personally,
 16 but just to make sure that it encompasses all
 17 potential iterations of that question, was anyone
 18 removed for any reason other than just someone
 19 transferring out?

20 A Do you mean for -- I think you have to
 21 explain that.

22 Q Were any of the investigating police
 23 officers removed for any potential conflicts,
 24 refusal to follow direction, any reason, other than
 25 just a transfer out of the department for some

1 reason?
 2 A No.
 3 Q At any point, did your department come to
 4 any conclusions about how long this conduct outlined
 5 in Exhibit Number 2 had been going on; in other
 6 words, how far back?
 7 A Well, no.
 8 MR. CRITTON: Form.
 9 THE WITNESS: All that we knew was the
 10 incidents that had been reported to us or that
 11 we learned about -- we'd learn about one victim
 12 from another victim, but I don't think that we
 13 could really know whether or not it occurred
 14 for any time period prior to the first incident
 15 that was reported to us.
 16 BY MR. KUVIN:
 17 Q Well once you started getting additional
 18 girls coming forward or you learned of additional
 19 girls, did you find out of incidents, find any
 20 incidents that had occurred further back than the
 21 initial incident reporting?
 22 MR. CRITTON: Form.
 23 BY MR. KUVIN:
 24 Q Do you understand what I'm asking?
 25 A Yes. There were instances of the very

1 some of the cases. I don't know if it extended
 2 into 2004, probably. How far I don't know.
 3 BY MR. KUVIN:
 4 Q Okay.
 5 A Or before for that matter.
 6 Q During the course of the investigation,
 7 did you become aware or have any knowledge of
 8 Mr. Epstein transporting any underage girls on his
 9 airplanes?
 10 A I recall one of the detectives writing a
 11 report that reflected a victim saying that she had
 12 travelled on an airplane, yes.
 13 Q Do you recall who that victim was?
 14 A No.
 15 Q Did you learn that victim was allegedly
 16 under the age of eighteen?
 17 MR. CRITTON: Form.
 18 BY MR. KUVIN:
 19 Q In other words, was it a minor that he was
 20 transporting or was it someone over the age of
 21 eighteen?
 22 A That's something that the FBI would have
 23 investigated. Yeah, I think I remember -- I
 24 remembered them, the FBI, telling us that they had
 25 evidence from flight logs or something that a minor

1 first victim that came forward with her parent.
 2 There were incidents that occurred prior to that
 3 time that were reported after the first victim
 4 reported her case to us.
 5 Q Right. And the first victim comes to you
 6 in your department on March 14 of 2005 through a
 7 phone call initially, according to the report, about
 8 an incident that allegedly occurred to her going
 9 back, and it appears on page 2 of the incident
 10 report, to February 9 of 2005.
 11 My question is, as the additional
 12 potential victims came forward, how far back did you
 13 learn of incidents, potential incidents occurring?
 14 A I don't recall. It's probably -- I didn't
 15 learn that directly. It's probably included in the
 16 report, but I don't recall.
 17 Q Would you say you learned of incidents at
 18 least as far back as 2004?
 19 MR. CRITTON: Form.
 20 THE WITNESS: Well, the only reason that I
 21 remember anything about this at some point
 22 there was a calculation of statute of
 23 limitations. And while the investigation was
 24 going on we came close to, you know, bumping up
 25 against that expiring, and eventually it did on

1 that was one of the victims, or maybe even more than
 2 one, I don't remember, that was transported on an
 3 aircraft of Mr. Epstein.
 4 Q Did you ever see any of that evidence
 5 though?
 6 A No.
 7 Q Did you all, when you turned over all the
 8 information you had to the FBI, did you all keep
 9 copies of anything?
 10 A I don't remember. I do remember there was
 11 discussion about that but I don't remember the
 12 outcome. Copies as in things that would be easily
 13 copied, you mean photographed or photocopied or so
 14 on?
 15 Q Yeah. I mean like --
 16 A Yeah. I think we did, the department did
 17 on some things, because we were still conducting an
 18 investigation, pieces of paper that we thought might
 19 be important moving forward. Might not have
 20 realized the significance at the point that we
 21 turned it over. I didn't keep any of that and I
 22 don't think I ever saw any of that except maybe
 23 later on when it appeared in a news media. I'm not
 24 the right person to ask that question.
 25 Q If any copies of evidence were kept, who

1 would have been the person at the department back
 2 then that would have been in control of that
 3 information, would it have been Ms. Laura Oregero?

4 A Oregero, probably technically, but it
 5 would have probably been in the physical control of
 6 the special investigation's unit, Detective Recarey.
 7 We wouldn't have treated it like a document like a
 8 report and put it into our normal system.

9 Q And what I'm curious about is information
 10 that would have been easily copied; for example,
 11 phone logs, phone message pads, printouts from the
 12 computer, laser copies of any photographs or
 13 pictures that may have been on the walls, anything
 14 like that that you can recall keeping?

15 A I don't know. At the point that we passed
 16 all this over, we knew that our investigation was
 17 winding down.

18 Q Okay. You definitely turned over the
 19 computers though that you did have?

20 A I don't know in specificity, I never saw a
 21 list of items. But I know that when I received the
 22 grand jury subpoena from the U.S. Attorney, I passed
 23 it on to our evidence custodian and said they want
 24 everything, give them everything.

25 Q At any point, did you ever become aware of

1 a gentleman by the name of Bill Richardson, former
 2 governor?

3 A Only from news media.

4 Q That name never came up with respect to
 5 this case that you can recall?

6 A Not that I know.

7 Q Did you learn of any information regarding
 8 Mr. Epstein engaging in any acts with minors, any
 9 illegal, potential illegal acts with minors, either
 10 in New York or in New Mexico at his homes there?

11 MR. CRITTON: Form.

12 THE WITNESS: I know that either the FBI
 13 or the U.S. Attorney either told me or told the
 14 detective who told me that they were
 15 investigating allegations of that, of illegal
 16 acts with minors outside of Florida. Don't
 17 remember exactly where or whether or not they
 18 ever told us that they were able to confirm
 19 that.

20 BY MR. KUVIN:

21 Q Did you ever hear any information in
 22 particular about acts that may have occurred in
 23 St. Thomas at his home there?

24 MR. CRITTON: Form.

25 THE WITNESS: I recall mention of

1 St. Thomas, New Mexico, Manhattan. Whether or
 2 not the discussion was specific to where these
 3 acts may have taken place amongst them, I don't
 4 remember that.

5 BY MR. KUVIN:

6 Q I noticed in the investigation in Exhibit
 7 2 that some of the interviews were taped. Did you
 8 all keep those tapes or did you give those over to
 9 the FBI as part of the grand jury subpoena?

10 A Well I know that I instructed, when I
 11 instructed our evidence custodian to give them
 12 everything, I intended -- I meant -- I mean I didn't
 13 personally go there and inspect but I was told that
 14 everything we had, which would have included that,
 15 was given to the FBI.

16 Q Do you know if you all kept any copies of
 17 any of the tapes or interviews?

18 A I don't know.

19 Q Do you know if you all kept any
 20 transcriptions of those interviews?

21 A I don't think -- I don't remember ever
 22 having them transcribed. I know at one point the
 23 State Attorney's Office wanted to know the content
 24 of the interviews. And I can't remember whether or
 25 not we made copies and gave them tapes or what

1 happened there, but in mass they were not
 2 transcribed by us.

3 Q Did you ever come to learn that at any
 4 point during the investigation that Mr. Epstein had
 5 a massage schedule that was contained on one of his
 6 computers?

7 MR. CRITTON: Form.

8 THE WITNESS: No.

9 BY MR. KUVIN:

10 Q Never learned anything about that?

11 A I don't remember that. And my role is not
 12 to know the nuances of the investigation.

13 Q Just asking what you may know. If you
 14 don't know then I don't know is sufficient.

15 With respect to the search warrant
 16 that was issued by your department, did you ever
 17 come to learn any information that might have led
 18 you to believe that Mr. Epstein had been tipped off
 19 with respect to that search warrant prior to the
 20 warrant being executed?

21 A I know that the detectives who executed it
 22 believed that that was a possibility.

23 Q Do you know how they -- do you know why
 24 they might have believed that, what evidence they
 25 may have had?

1 MR. CRITTON: Form.
 2 THE WITNESS: Well they told me it was by
 3 the condition of the house, by the condition of
 4 the place to be searched, they thought that
 5 someone had probably cleaned it up a bit. But
 6 it was -- really that's a question you should
 7 ask them.

8 BY MR. KUVIN:

9 Q Okay. Did you advise the State Attorney's
 10 Office ahead of time that a search warrant was going
 11 to be executed?

12 A Well we didn't have to, because the system
 13 is that the application to the judge first has to be
 14 approved by the State Attorney's Office, and they
 15 did, so they were aware of it and party to it.

16 Q So the process, and excuse me because I
 17 don't know criminal procedure at all, the process by
 18 which the application would go is that you all, your
 19 department, somebody in the department would fill
 20 out the application. It would then go to the State
 21 Attorney's Office; is that correct?

22 A Yes. And then usually it would go to the
 23 on-call judge, which I don't remember who signed the
 24 search warrant. And often, I don't know what
 25 happened in this case, but often it would be the

1 Q Did you ever see any -- well let me ask
 2 this. Did you ever interview or talk to directly
 3 any of the potential victims?
 4 A No. The only thing I did is that might be
 5 responsive to your question was write their parents
 6 a letter. I don't remember whether I wrote them and
 7 their parents or just their parents. Was the only
 8 communication.

9 Q At any time, did your department ever
 10 investigate whether or not Mr. Epstein might
 11 actually have some type of psychosexual disorder?
 12 In other words, was there any investigation by your
 13 department as to his psyche?

14 MR. CRITTON: Form.

15 THE WITNESS: No.

16 BY MR. KUVIN:

17 Q And I ask that because sometimes in cases
 18 as a defense to a case there's a psychology
 19 component with respect to criminal defendants.
 20 You're aware of that, right, sometimes?

21 A Yes. And that's not typically the role of
 22 law enforcement. No, we didn't.

23 Q You never retained a psychologist or had
 24 anybody --

25 A A profiler or anything, no.

1 Assistant State Attorney and the detective that go
 2 see the judge together, particularly in a case like
 3 this.

4 Q Do you know whether or not Dahlia Weiss
 5 was involved in that process?

6 A I don't know.

7 Q Did you ever have a chance to review any
 8 of the physical evidence in the case that might link
 9 Mr. Epstein to crimes against underage minors?

10 MR. CRITTON: Form.

11 THE WITNESS: No.

12 BY MR. KUVIN:

13 Q In other words, did you look at any of
 14 the, and I apologize for the terms but, you know,
 15 some of the things that were confiscated involving
 16 sexual toys, massage oils, different things like
 17 that; did you ever review any of the evidence like
 18 that in the case?

19 A No.

20 MR. CRITTON: Form.

21 BY MR. KUVIN:

22 Q Did you ever see any videos that may have
 23 been kept on his computers, or photographs in the
 24 house or photos on the computers?

25 A No.

1 Q Okay. Did you find anything in your
 2 investigation with respect to -- find out anything
 3 with respect to Mr. Epstein's psychosexual potential
 4 disorders or psychological disorders? In other
 5 words, did the State Attorney's Office share
 6 anything with you; U.S. Attorney's, FBI?

7 MR. CRITTON: Form.

8 THE WITNESS: Well I think the State
 9 Attorney in our conversations at some point
 10 said the guy probably has a problem, that's the
 11 extent of it. And I don't think that's
 12 probably a psychological -- beyond that the
 13 answer would be no.

14 BY MR. KUVIN:

15 Q Fair enough. I'm just wondering whether
 16 any professional had ever assisted the State
 17 Attorney's Office or U.S. Attorney's Office or FBI
 18 that you're aware of?

19 A Not that I'm aware of.

20 Q You're aware of the name Sarah Kellen, a
 21 probable cause warrant was issued for her?

22 A An application for a writ of habeas corpus
 23 warrant was transmitted to the State Attorney's
 24 Office by our department for her, yes.

25 Q What information did you learn with

1 respect to her as part of the investigation? In
2 other words, what part did she play as far as you
3 learned?

4 A Well I learned nothing first hand. The
5 detectives told me that she had acted in some
6 capacity to secure the victims for massages for
7 Mr. Epstein.

8 Q What about Ghislaine Maxwell, are you
9 aware of that name?

10 A I am aware of that name.

11 Q How did you become aware of that name and
12 what did you learn about her?

13 A I knew from news media reports that
14 Mr. Epstein and she were friends. I think the name
15 popped up a couple of times in the investigation,
16 but many names did but I don't ever remember. And
17 it could be the case because I don't have the entire
18 case committed to memory, I don't really remember
19 any connection to specific acts of the crime
20 involving her.

21 Q Okay. And what about Nadia Marcinkova,
22 does that name sound similar, and if so, what did
23 you learn about her?

24 A Well we believed that she was an actual
25 participant in some of the cases, I remember that.

1 somebody telling me in the outside of the
2 investigation that it had, but I don't remember it
3 from the case.

4 Q Did you ever discuss his name with the FBI
5 at all in connection to a separate investigation
6 regarding allegations of rape with respect to Mr.
7 Copperfield?

8 A No.

9 Q All right. With respect to the victims
10 that were investigated by your department, can you
11 explain whether or not they all had a similar story
12 to tell with respect to how the incidents had
13 occurred at Mr. Epstein's home?

14 First of all, were their stories
15 similar, and if so, how were they familiar?

16 MR. CRITTON: Form.

17 THE WITNESS: Well they were similar in
18 that they heard about Mr. Epstein, most of
19 them, if not all of them that were considered
20 by the Palm Beach Police Department, through
21 another person, either another victim or
22 another person who had gone there to get a
23 massage, massages. Was sort of invited to come
24 to the home for some sort of work. I think I
25 remember one person it was suggested that she

1 Q When you say participant, can you explain
2 further what you mean?

3 A I recall her name being brought up with
4 having some -- and I think that it's in the probable
5 cause affidavit request for the capias -- of having
6 some sexual contact with some of the victims, or at
7 least one of the victims.

8 Q Okay. What about Adriana Mucinska?

9 A Don't recognize the name.

10 Q Leslie Gross (phonetic)?

11 A I think I may have heard the name in
12 connection to this case, but I'm not sure.

13 Q No specific information that you can
14 recall about her though?

15 A No.

16 Q With respect to your job, did this
17 investigation have anything to do with you leaving
18 your post as Police Chief?

19 A No. If anything it kept me there a little
20 longer.

21 Q You're aware of illusionist magician David
22 Copperfield. Did that name ever come up during the
23 investigation, either phone logs or message pads
24 that you can recall?

25 A Not that I can recall. I remember

1 answer the telephone. Others were told you
2 give a guy a massage, there's nothing strange
3 about it. And when they got there there was
4 typically some increasing level of contact
5 between Mr. Epstein and the victim. And that
6 really is the part -- those are the parts that
7 are common on all of the ones as far as I can
8 best recall from those we considered as
9 victims. And they were paid something.

10 BY MR. KUVIN:

11 Q As far as those girls that you all
12 considered as victims during the investigation, you
13 agree with me that they all were asked to come to
14 the home and either perform a massage or some sort
15 of work for Mr. Epstein?

16 MR. CRITTON: Form, speculation.

17 BY MR. KUVIN:

18 Q As far as you know?

19 MR. CRITTON: Same objection. Said he
20 didn't know anything.

21 THE WITNESS: Again, that is true, I
22 learned all of this third hand. But can I say
23 all of them absolutely, no, I can't. That's my
24 general recollection from most of the victims
25 that we investigated their allegations.

1 BY MR. KUVIN:
 2 Q Let's not use the word all because I don't
 3 want you to be uncomfortable with that term all.
 4 Would you agree with me that most of
 5 the victims were asked to come to the home and give
 6 massages based on what you learned during the
 7 investigation?
 8 MR. CRITTON: Same objection, speculation.
 9 BY MR. KUVIN:
 10 Q You can answer.
 11 A That was the general set of circumstances
 12 that were reported to us.
 13 Q And most of them were asked to come and
 14 give that massage and ultimately were paid money as
 15 a result?
 16 MR. CRITTON: Form.
 17 THE WITNESS: Yes.
 18 BY MR. KUVIN:
 19 Q Most, once again?
 20 A Well they reported to us that they were
 21 paid money, yes.
 22 Q And do you recall whether most of them
 23 were paid somewhere in the neighborhood between 200
 24 to \$400 for their services?
 25 A That's my rough recollection, yes.

1 Q Do you recall whether or not during the
 2 investigation that most of them were taken in
 3 through a side door entrance, a kitchen door, and
 4 met in the kitchen area?
 5 MR. CRITTON: Form.
 6 THE WITNESS: I don't recall how they
 7 entered.
 8 BY MR. KUVIN:
 9 Q Do you recall whether most of them were
 10 asked to come upstairs to a special room that was
 11 being used for massages?
 12 MR. CRITTON: Form.
 13 THE WITNESS: Yes, I do recall that from
 14 the report.
 15 BY MR. KUVIN:
 16 Q Do you recall whether or not during your
 17 investigation that most of them were met at the home
 18 by Sarah Kellen?
 19 MR. CRITTON: Form.
 20 THE WITNESS: Her name was frequently
 21 mentioned by the victims as the one that met
 22 them, yes.
 23 BY MR. KUVIN:
 24 Q And that most of these girls were between
 25 the ages of fourteen and seventeen?

1 MR. CRITTON: Form.
 2 THE WITNESS: Most. Remember, we were
 3 only interested in victims those being under
 4 age eighteen. Others who were over age
 5 eighteen came to our attention, so I can't tell
 6 you whether more than half of all the
 7 individuals who came to our attention were
 8 under age eighteen.
 9 BY MR. KUVIN:
 10 Q Okay. And that most of the girls were
 11 asked to come upstairs and give a massage to
 12 Mr. Epstein when he was either nude or just had a
 13 towel over his private parts?
 14 MR. CRITTON: Form.
 15 THE WITNESS: Yes.
 16 BY MR. KUVIN:
 17 Q And that most of these girls reported to
 18 your department that he pleasured himself during
 19 those massages?
 20 MR. CRITTON: Form.
 21 BY MR. KUVIN:
 22 Q Sexually gratified himself during the
 23 massages?
 24 A Yes.
 25 Q And that most of these girls -- did most

1 of these girls report during the investigation that
 2 they were asked to either get fully undressed or at
 3 least partially unclothed?
 4 MR. CRITTON: Form.
 5 THE WITNESS: Yes.
 6 BY MR. KUVIN:
 7 Q And that most of these girls -- did most
 8 of these girls report to your department that at
 9 some point Mr. Epstein would try to touch them in
 10 some manner?
 11 MR. CRITTON: Form.
 12 THE WITNESS: I can't say for sure if that
 13 was more than half, but some did.
 14 BY MR. KUVIN:
 15 Q And some of these girls reported that
 16 Mr. Epstein would actually digitally penetrate them
 17 in their vaginas during the massage?
 18 A That's correct.
 19 Q And some of those girls that were involved
 20 in that incident were -- the ones that you learned
 21 of through the investigation were under the age of
 22 eighteen?
 23 MR. CRITTON: Form.
 24 THE WITNESS: That's correct.

1 BY MR. KUVIN:
 2 Q And that some of these girls actually were
 3 asked to have sex with Mr. Epstein?
 4 MR. CRITTON: Form.
 5 THE WITNESS: That's correct.
 6 BY MR. KUVIN:
 7 Q At least one of them; is that correct?
 8 MR. CRITTON: Form.
 9 THE WITNESS: Yes.
 10 BY MR. KUVIN:
 11 Q And one you learned of that actually had
 12 sex with Mr. Epstein was under age eighteen?
 13 A Yes.
 14 MR. CRITTON: Form.
 15 BY MR. KUVIN:
 16 Q Did you also learn that some of these
 17 girls that were asked to give massages to
 18 Mr. Epstein he actually used vibrators on during the
 19 massage?
 20 MR. CRITTON: Form.
 21 THE WITNESS: I learned that once again
 22 from the detectives in the report, yes.
 23 BY MR. KUVIN:
 24 Q Mr. Elwell, I'm sorry, who is he again?
 25 A He's the Town Manager.

1 Q Did Mr. Elwell ever discuss with you that
 2 people came to him and lobbied him to try and give
 3 Mr. Epstein favorable treatment; in other words,
 4 that he was actually fielding complaints or people
 5 were coming to him about it?
 6 A We had a number of conversations. Early
 7 on, when this broke in the news media, a number of
 8 people sort of stepped away from me. Some of those
 9 people shared with Peter Elwell the concern that
 10 maybe that we had pursued this at a level that
 11 wasn't necessary. And that was some people's talk,
 12 both, yes.
 13 Q Do you feel today, as you sit here today
 14 after everything that went on looking back on it,
 15 that you pursued this in a manner that was
 16 unnecessary in any way?
 17 MR. CRITTON: Form.
 18 THE WITNESS: No.
 19 BY MR. KUVIN:
 20 Q As you sit here today, do you feel that
 21 you or your department did anything improper with
 22 respect to the investigation?
 23 MR. CRITTON: Form.
 24 THE WITNESS: No.
 25

1 BY MR. KUVIN:
 2 Q Okay. I meant to mark these before but --
 3 at some point you learned the location of
 4 Mr. Epstein's home, correct?
 5 A Yes.
 6 Q And that location was 358 El Brillo Way on
 7 Palm Beach Island?
 8 A If that's what the report says. I know it
 9 was on El Brillo, but I don't recall the exact
 10 address.
 11 Q You know the island generally?
 12 A Yes.
 13 Q I'm sure you've driven around it many
 14 times?
 15 A For twenty-eight plus years.
 16 Q Figured. Let me show you three separate
 17 images, each one getting a little closer, and ask
 18 you if you can identify this as Mr. Epstein's home
 19 on El Brillo Way. First one's a wide shot and then
 20 it gets closer.
 21 MR. CRITTON: Are you marking this as an
 22 exhibit?
 23 MR. KUVIN: Oh, yeah, 4.
 24 THE WITNESS: I can't say for sure that
 25 that's his home. I've driven by it a couple of

1 times, seen it in the news media, but from an
 2 aerial photograph --
 3 BY MR. KUVIN:
 4 Q It's on the water facing west; you were
 5 aware of that?
 6 A That would be El Brillo.
 7 Q It's at the end of the road?
 8 A It's at the end. That would fit.
 9 Q Did you ever go out to the home and see
 10 whether or not -- well, did you ever go out to the
 11 home at any point --
 12 A No.
 13 Q -- during the investigation process at
 14 all?
 15 A Not ever. I could have been there many,
 16 many years ago on a call when I was a young police
 17 officer, but nothing to do with this case.
 18 Q Okay, fair enough.
 19 Do you -- let's see, I think this one
 20 is 5 -- recognize this photo as the exterior of
 21 Mr. Epstein's home? Does this help refresh your
 22 recollection at all?
 23 A This is a picture that was in the news
 24 media.
 25 Q Do you have any independent knowledge

1 regarding that being the exterior of Mr. Epstein's
 2 home, if you know?
 3 A I think it is.
 4 Q Okay. I don't want you to guess. If you
 5 know, you know, if you don't, you don't.
 6 A I don't know absolutely definitively, no.
 7 Q Did you become aware during the course of
 8 the investigation that Mr. Epstein was actually
 9 conducting some type of construction on his home?
 10 Do you recall that?
 11 A Yes, I think I remember the detectives
 12 mentioning that. Not at the beginning of the
 13 investigation but once it was under way at some
 14 point.
 15 Q At some point, do you recall learning what
 16 type of construction was going on; in other words,
 17 whether it was exterior construction or construction
 18 to the inside of the home?
 19 A I can see in the photographs that the
 20 driveway is covered. I think I remember from some
 21 of the neighbors who are acquaintances of mine
 22 mentioning that there was all sorts of activity,
 23 that it was a larger scale rather than a smaller
 24 scale construction.
 25 Q Do you know whether or not the

1 construction on Mr. Epstein's home started after the
 2 investigation began or he learned of the
 3 investigation?
 4 A I don't know.
 5 Q Do you know whether or not he altered the
 6 interior of his home in order to somehow alter the
 7 investigation in some manner or change the look of
 8 the interior of his home to change the investigation
 9 in any way?
 10 MR. CRITTON: Form.
 11 THE WITNESS: No.
 12 BY MR. KUVIN:
 13 Q No knowledge one way or the other about
 14 that?
 15 A No.
 16 Q During the investigation, did you learn
 17 that Dollar Rent a Car was being used in order to
 18 rent vehicles for some of the girls?
 19 MR. CRITTON: Form.
 20 THE WITNESS: I don't remember that.
 21 BY MR. KUVIN:
 22 Q I forgot to ask this before, but in
 23 looking at Exhibit 1, it appears that the girl in
 24 this particular incident -- hang on, let me find it
 25 here. Date of birth 12/30/86. Do you see that on

1 the fourth line down?
 2 A It's very hard to make out, but I see
 3 there are some numbers. It looks like 12/30,
 4 probably '86 or '80 something, yes.
 5 Q And the date of this report would have
 6 been November 28 of 2004, correct, we already went
 7 through that?
 8 A That's what it said.
 9 Q That would make her approximately -- would
 10 make her seventeen years old, would it not?
 11 A If those numbers are accurate, yes.
 12 Q Why is her name blacked out, if you know?
 13 A Well she was a juvenile at the time that
 14 the report -- only by a month apparently at the time
 15 the report was taken.
 16 Q Would you agree with me that the
 17 investigating officer obtained information in this
 18 interview that there was some type of potential
 19 sexual contact going on between this underage
 20 juvenile and Mr. Epstein?
 21 MR. CRITTON: Form.
 22 BY MR. KUVIN:
 23 Q If you look at the last three lines in the
 24 report?
 25 MR. CRITTON: Form.

1 THE WITNESS: Only from my reading it
 2 right now, yes.
 3 BY MR. KUVIN:
 4 Q Do you know what actions, if any, were
 5 taken by Officer Munyan to further investigate this
 6 report?
 7 MR. CRITTON: Form, asked and answered a
 8 couple of times earlier.
 9 THE WITNESS: No. The State Attorney's
 10 Office had an even lesser level of concern for
 11 sixteen and seventeen year olds, had a greater
 12 level of concern for fifteen and younger. In
 13 fact was not inclined to prosecute, even from
 14 the very beginning, any instances that had a
 15 victim who were sixteen or seventeen years old.
 16 I don't know if that played in this decision to
 17 black this out. I didn't do the redaction, I
 18 wouldn't normally do the redaction.
 19 BY MR. KUVIN:
 20 Q Okay. I'm going to ask you about Exhibit
 21 2 for a moment, if you grab that incident report.
 22 See if any of this helps refresh your recollection
 23 regarding stuff you may have learned. If we turn to
 24 page 62 of the report and we go to paragraph five,
 25 starts with a small office, do you see that?

1 A Yes.
 2 Q It appears that a phone message book with
 3 recent messages was taken into custody or seized as
 4 evidence. Do you know if you all made copies of
 5 that?
 6 A No.
 7 Q No, you don't know, or no, you didn't?
 8 A I don't know.
 9 Q Do you ever recall seeing that phone
 10 message book?
 11 A No, I don't.
 12 Q If you look at the bottom of this page,
 13 second paragraph up from the bottom starting with
 14 regarding seized evidence, do you see that
 15 paragraph?
 16 A Yes.
 17 Q Says all items were photographed in place
 18 and then collected by CSEU personnel. What happened
 19 to those photographs?
 20 A That would be typical when you execute a
 21 search warrant. When the Palm Beach Police
 22 Department executed a search warrant they would
 23 photograph anything they were going to take before
 24 they would take it. The photographs themselves
 25 generally aren't evidence and I would imagine that

1 the department probably has those.
 2 Q Okay. So the department probably has
 3 those photographs?
 4 A I would imagine.
 5 Q And with respect to those photographs,
 6 were they taken on digital cameras; in other words,
 7 did you have that technology at the time or were you
 8 still using a 35 millimeter or something else?
 9 A They would have had an option.
 10 Q Do you know whether a video was taken
 11 during the execution of the warrant, was that
 12 standard practice?
 13 A Is it standard practice?
 14 Q Was it?
 15 A Not really. And I don't know. I'm sure
 16 it's included in here.
 17 Q Okay. On page 66 of the report, turn to
 18 that page, third paragraph down starting with the
 19 sentence while at the police station. Do you see
 20 that paragraph?
 21 A Yes.
 22 Q Second sentence it says I began an
 23 analysis of Sarah Kellen's cellular telephone, the
 24 telephone number is (917) 855-3363. Do you remember
 25 whether your department obtained those phone

1 records?
 2 A No.
 3 Q Do you know whether or not any copies were
 4 made of phone records were kept before anything was
 5 turned over to the FBI?
 6 A I don't even know if we received them.
 7 Normally we would subpoena them, but I don't know
 8 that in fact we did.
 9 Q Okay. At any time during the
 10 investigation, did you become aware that
 11 investigators for Mr. Epstein may have been
 12 harassing potential victims?
 13 MR. CRITTON: Form.
 14 THE WITNESS: I know that from the
 15 detectives that that was reported from victims
 16 to the detectives.
 17 BY MR. KUVIN:
 18 Q What type of harassment did you hear
 19 about?
 20 A I recall that some of the victims had
 21 reported to us that they had been what they thought
 22 was under surveillance. There was private
 23 investigators or individuals who would come to the
 24 door and try to talk to them. The contents of the
 25 discussions I don't remember. I do know that it was

1 something enough of us -- to make us enough
 2 concerned that we talked to the State Attorney's
 3 Office about it. Because I remember some of it
 4 happened outside of this circuit, victims had gone
 5 elsewhere in the state and so on, and we had
 6 evaluated whether any of it had risen to witness
 7 tampering or something like that. And we -- and we
 8 didn't take any action on it, we didn't file for
 9 warrants or anything like that, but there was
 10 discussion about it. I don't remember the content
 11 of it.
 12 Q All right. And you kind of got to where I
 13 was going with it. Did you all sit down at any time
 14 and write out any information or put down
 15 information to determine whether or not Mr. Epstein
 16 actually -- his conduct had actually risen to the
 17 level of witness tampering?
 18 A We didn't file a request for a capias or
 19 an arrest warrant, if that's what you're asking.
 20 Q Did you all sit down to determine whether
 21 or not it had risen to that level, have a meeting or
 22 discussion about that?
 23 A I didn't personally, but I know that the
 24 detectives talked with the State Attorney's Office
 25 about it and I think probably the FBI.

1 Q If we look at the bottom of page 67,
 2 second paragraph down -- sorry, second paragraph
 3 from the bottom, excuse me, it says here letter to
 4 Mr. Dershowitz sent advised he was looking into the
 5 allegation that one of the private investigators
 6 used by the private attorneys of Epstein, attempted
 7 to impersonate or state that they were police
 8 officers from Palm Beach. Do you recall hearing
 9 about that?

10 A I didn't recall, not till I read this.

11 Q Okay. Apparently there was a package sent
 12 to both ASA Lanna Belohlavek and ASA Dahlia Weiss at
 13 the State Attorney's Office. Do you see that?

14 A I see that sentence, yes.

15 Q Did you see that package that was sent?

16 A I don't remember that I did. I wouldn't
 17 normally.

18 Q If we turn to page 73, top of the page it
 19 has the name of a Dr. Perry Bard. Do you see that
 20 in the first paragraph?

21 A I do.

22 Q Did you ever come to learn who Dr. Perry
 23 Bard was other than what might be stated in here?

24 A I read this at one time so I was informed
 25 of it, but I had not recalled the name until I read

1 it again here.

2 Q No additional information regarding
 3 Dr. Bard?

4 A No.

5 Q And with respect to the next paragraph it
 6 mentions a woman by the name of Johanna Sjoberg,
 7 spelled S-J-O-B-E-R-G. Do you see that?

8 A I see it, yes.

9 Q Do you recall anything in particular with
 10 respect to Ms. Sjoberg?

11 A No.

12 Q If we turn to page 74 for a moment, there
 13 are, at the bottom of the page, last paragraph, four
 14 separate telephone numbers listed for a Cingular
 15 wireless, one of which is listed to a Janusz,
 16 J-A-N-U-S-Z, Banasiak. Do you know who Janusz
 17 Banasiak is?

18 A No. Only from what it says here.

19 Q No additional information though?

20 A No.

21 Q Christina Venero at the bottom of the
 22 page, do you see that name?

23 A I see it.

24 Q Any additional information that you're
 25 aware of regarding her?

1 A No.

2 Q If you turn to page 79, it appears that on
 3 the date of February 16, 2006, there's a meeting
 4 that takes place between the investigator Joseph
 5 Recarey and two women, Joanna Harrison and a
 6 Victoria Bean. Do you see that?

7 MR. CRITTON: Are we at 79?

8 MR. KUVIN: Yeah.

9 THE WITNESS: Yes.

10 BY MR. KUVIN:

11 Q Okay. Did you learn any additional
 12 information regarding those two women other than
 13 what might be in here, in the report?

14 A No, not personally.

15 Q This may go along with what you discussed
 16 at the beginning with respect to not really
 17 prosecuting what technically would be a criminal act
 18 for prostitution in a home. But it appears from
 19 this information here that these two girls were paid
 20 for sexual contact with Mr. Epstein, at least
 21 according to what Detective Recarey investigated.

22 Were there any additional
 23 investigations ongoing regarding allegations of
 24 prostitution at the home?

25 MR. CRITTON: Form.

1 THE WITNESS: The only way I can answer
 2 that question is I don't consider
 3 fifteen-year-olds, sixteen-year-olds who are
 4 paid money to engage in sexual contact
 5 prostitution, by the legal definition of the
 6 law, for purposes of prosecuting them. I
 7 really don't know what you're getting at beyond
 8 that. I mean that's -- I don't know how else
 9 to answer that.

10 BY MR. KUVIN:

11 Q Maybe I phrased it wrong. But these
 12 girls, Ms. Bean and Ms. Harrison, were apparently
 13 over the age of eighteen. These were girls that
 14 were over the age of majority that were apparently
 15 paid for sexual contact with Mr. Epstein.

16 Were there any ongoing investigations
 17 regarding solicitation for prostitution against
 18 Mr. Epstein regarding girls over the age of
 19 eighteen?

20 A No. These kinds of situations are not
 21 prosecutable. The State Attorney's Office some
 22 years earlier even suggested that we no longer do
 23 sting operations for prostitution because they
 24 didn't want to prosecute them. This is a case where
 25 you have willing participants after the fact and no

1 physical evidence.

2 No, the resources of the department
3 are not dedicated for these kind of semi-victimless
4 crimes in private residences unless it presents some
5 other problem.

6 Q Okay. If we turn to page 81, bottom of
7 the page dated April 10 of 2006. Second to last
8 paragraph it references --

9 MR. CRITTON: I'm sorry, Spencer, what
10 page?

11 MR. KUVIN: 81.

12 BY MR. KUVIN:

13 Q Additional subpoenas from the State
14 Attorney's Office requesting information from Dollar
15 Rent a Car and Jet Aviation. Do you see that?

16 A Yes.

17 Q Do you recall seeing any of the records
18 that were produced in response to this subpoena to
19 Dollar Rent a Car or Jet Aviation?

20 A No.

21 Q Turn to page 84 if you would. Top of page
22 84 there's discussion -- and this goes back to the
23 initial note as begun on April 14, 2006 and actually
24 begins on page 82 -- regarding grand jury subpoenas
25 and discussions with the State Attorney's Office.

1 If we go to page 84 though, it talks
2 about the quote, unquote, deal being offered to
3 Mr. Epstein. And if you look at paragraph one here,
4 in the middle of the paragraph it says however, I
5 expressed that was only my opinion and that the
6 final approval would come from the Chief of Police.
7 She explained to have Chief Reiter call Barry
8 Krischer about the deal. Do you see that?

9 A I do.

10 Q Did Officer Recarey talk to you about the
11 deal?

12 A There were so many potential deals, deals
13 being the plea agreement, that had been suggested, I
14 don't know which one they're talking about here.

15 Q Bottom of page 83, if you read the last
16 paragraph it'll explain it, might help refresh your
17 recollection.

18 A Well after reading this it refreshed my
19 recollection on one of the different proposed
20 agreements, which --

21 Q Okay.

22 A -- I guess some of which they asked for
23 our input. And what this reflects is that in this
24 particular case with all of its unusual twists and
25 turns, I told Detective Recarey that he should not

1 offer an opinion on behalf of the department of
2 whether we think any deal is appropriate, that I
3 would want to reserve that for myself. So that's
4 what happened here.

5 Q Okay. All right.

6 Do you recall having direct
7 conversation with Barry Krischer about this
8 particular deal that's discussed here on pages 83
9 and 84?

10 In other words, it looks here on page
11 83 to be a deal where the offer is one count of
12 aggravated assault with intent to commit a felony,
13 five years probation with adjudication withheld,
14 which was conveyed to Mr. Epstein's attorneys at the
15 time, Guy Fronstin and Mr. Dershowitz.

16 A I always told Barry Krischer when we had
17 conversations about how this would resolve itself
18 that my biggest concern, really my main concern was
19 that Mr. Epstein be classified as a sexual offender
20 to reduce the likelihood that this would continue in
21 the future. I never formed an opinion or
22 communicated it to him about how many years of this
23 or how many years of that, so on, other than to tell
24 him that I felt like a Notice to Appear was not the
25 appropriate way to resolve this.

1 Q Okay. All right. Bottom of page 84
2 there's a documented call with Officer Recarey,
3 Detective Recarey. Says here on May 3rd, 2006 at
4 approximately 2:54 p.m., I, meaning Detective
5 Recarey, received a telephone call from ASA Dahlia
6 Weiss on my cellular telephone. ASA Weiss advised
7 she has been taken off the Jeffrey Epstein case
8 because her husband is employed with Attorney Jack
9 Goldberger. Do you see that?

10 A Yes.

11 MR. CRITTON: Is there a date there,
12 Spencer, of reference?

13 MR. KUVIN: Yes, May 3rd, 2006.

14 MR. CRITTON: Thank you.

15 BY MR. KUVIN:

16 Q Is that the first time that -- or shortly
17 after that call that you became aware of the
18 relationship between ASA Weiss and Mr. Goldberger's
19 office?

20 A Like I said earlier, I became aware of the
21 relationship prior to learning of her being taken
22 off the case, so I would have known about the
23 relationship before this day.

24 Q It appears, and I don't want you to guess,
25 so all I want to know is whether you had a

1 conversation with Detective Recarey about this,
 2 whether he said anything directly to you that she
 3 was removed as opposed to removing herself
 4 voluntarily from the case?

5 MR. CRITTON: Form. You're asking him to
 6 speculate.

7 MR. KUVIN: No, I'm not, I'm asking for
 8 any conversation he had with Detective Recarey.

9 THE WITNESS: I don't remember.

10 BY MR. KUVIN:

11 Q Okay. Page 85, again going down to the
 12 date of May 15, 2006, there's a reference to a
 13 contractor by the name of David Norr, N-O-R-R, and
 14 apparently he was surveilled for a short period of
 15 time.

16 A Let me find that.

17 Q Sure. Middle of the page.

18 A Okay.

19 Q Do you recall whether your department
 20 obtained any records regarding the renovations that
 21 were going on at Mr. Epstein's home; blue prints,
 22 construction diagrams, anything like that, documents
 23 from the contractor?

24 A No.

25 Q No, you didn't, or no --

1 A No, I don't recall. It would have been
 2 easily available to us from the building department.

3 Q Right, building and zoning?

4 A I have no idea if we did.

5 Q Turn to page 86. Top of the page on May
 6 22nd, 2006, I received several phone calls
 7 throughout the day from Mr., and then it's blacked
 8 out, who stated he had been followed aggressively by
 9 a private investigator. Who was that?

10 A I don't know.

11 Q It appears if you go further down that the
 12 vehicle that was following this person was traced by
 13 Florida tag I35-XGA to a Mr. Zachary Bechard of
 14 Candor Investigations. Do you see that?

15 A Yes.

16 Q Did you come to learn anything about that
 17 particular investigative agency? Independent of
 18 what might be in the report.

19 A No, not that I can recall.

20 Q Page 87, last page. Middle of the page
 21 references Epstein's corporation attorney, a
 22 gentleman by the name of Darren Indyke, I-N-D-Y-K-E.
 23 Do you see that?

24 A Not yet. Okay, yes.

25 Q Do you recall having any conversations

1 with Mr. Indyke?

2 A No.

3 Q There appear to be a number of
 4 corporations. El Zorro Ranch Corporation, New York
 5 Strategy Group, Ghislaine, G-H-I-S-L-A-I-N-E,
 6 Corporation, J. Epstein and Company and the
 7 Financial Strategy Group. Do you see those?

8 A I do.

9 Q Do you recall anything, seeing any
 10 documents or information regarding those companies?

11 A I've read this report before. And if it's
 12 in the report I read it previously, but I don't have
 13 anything independent of the report, nor do I recall
 14 any more than what you've shown me here.

15 Q I'm just looking to see whether or not you
 16 saw any corporate printouts or corporate documents
 17 or anything like that that might have been obtained
 18 online or through other sources?

19 A I did not get involved in this
 20 investigation at that level.

21 Q Okay. Last entry here of July 12, 2006,
 22 it says here Belohlavek -- and spelled for the
 23 benefit of the court reporter, we've used it before,
 24 but just for her sake it's B-E-L-O-H-L-A-V-E-K --
 25 stated State Attorney Barry Krischer made the

1 determination to go to the Grand Jury to hear the
 2 case.

3 Did you, or do you recall discussing
 4 directly with him why he was taking this to a Grand
 5 Jury as opposed to just charging Mr. Epstein, his
 6 office doing it themselves?

7 A No.

8 Q You agree with me that that would be out
 9 of the ordinary based on the charges that were
 10 brought?

11 MR. CRITTON: Form.

12 THE WITNESS: My experience, yes.

13 BY MR. KUVIN:

14 Q Do you agree with me that you learned that
 15 it was Mr. Krischer that made that decision himself?

16 MR. CRITTON: Form.

17 THE WITNESS: That's my understanding.

18 BY MR. KUVIN:

19 Q Did you ever get any explanation from
 20 anyone, not just him, but anyone, as to why they did
 21 that?

22 MR. CRITTON: Form.

23 THE WITNESS: Sometime after the fact, the
 24 Grand Jury, maybe even possibly long after the
 25 fact, he told me that it was a political -- not

1 a political, but it was a noteworthy
 2 investigation, a noteworthy prosecution. And
 3 in these kind of controversial situations, an
 4 independent body of the Grand Jury, it was
 5 appropriate to have them exam him. He called
 6 other grand juries for things, I can't say
 7 similar, but a homicide that had racial
 8 overtones and so on, and he made reference to
 9 that, that was his choice to deal with
 10 these kinds of things. That could have been as
 11 recent as, you know, within the last year and a
 12 half or so.

13 BY MR. KUVIN:

14 Q Do you recall your department being
 15 involved in any other high profile type of
 16 investigations; for example, the investigation that
 17 involved a radio personality that lives in Palm
 18 Beach and the investigation of a potential boater
 19 fraud as a result of another author or radio
 20 personality on Palm Beach, or was this the only high
 21 profile investigation you can recall working on in
 22 your history in the city, or the town?

23 A Involved in the department and personally
 24 been involved in many high profile investigations.

25 Q Many being more than ten? I'm just trying

1 to get an idea --

2 A The standard rules don't really help me.
 3 We used to joke about how very small things in Palm
 4 Beach would become noteworthy in the news media,
 5 that they would be meaningless everywhere else.

6 Q Right.

7 A If you mean national political interest,
 8 at that level profile, yes, at least ten, probably
 9 more than ten.

10 Q In your experience in dealing with even
 11 those high profile investigations, was this one
 12 different?

13 MR. CRITTON: Form.

14 THE WITNESS: It wasn't different in the
 15 amount of, you know, at the level of profile of
 16 had we been involved in that before where it
 17 gets international news media coverage and all
 18 of the things that come with that. It was
 19 different in the respect that probably what
 20 should have remained a state case had to become
 21 a federal case, which they ended it and it all
 22 ended in an agreed plea in the state case. It
 23 was different for me in that I asked the State
 24 Attorney to remove himself from the case, you
 25 know. It was different from many different

1 perspectives but not necessarily the news media
 2 coverage.

3 BY MR. KUVIN:

4 Q Was it handled any differently than you
 5 handled other high profile cases that you may have
 6 handled in the past?

7 MR. CRITTON: Form.

8 BY MR. KUVIN:

9 Q From your perspective?

10 A I don't think it was handled any
 11 differently by the Palm Beach Police Department than
 12 from any of the other high profile cases.

13 Q Okay. I appreciate it. That's all the
 14 questions I have at this point. I'm going to turn
 15 it over to the other plaintiff attorneys who may
 16 have a few for you.

17 MR. HILL: I don't have any. Thank you,
 18 sir.

19 THE WITNESS: You're welcome.

20 MR. GARCIA: I just have a couple here.

21 CROSS-EXAMINATION.

22 BY MR. GARCIA:

23 Q Chief, my name is Sid Garcia, I represent
 24 one of the plaintiffs in the case. I think we met
 25 before in another case, another deposition years

1 ago.

2 Just want to ask you a few questions
 3 beginning with the -- asking basically your opinion
 4 as to why Mr. Krischer did not pursue the case with
 5 the diligence that you thought he should have
 6 pursued it with?

7 MR. CRITTON: Form.

8 THE WITNESS: I'm not sure I understand
 9 the question.

10 BY MR. GARCIA:

11 Q In other words, you talked about that you
 12 sent a letter to Mr. Krischer asking him to
 13 disqualify his office from the case. Why do you
 14 believe that he did not pursue the case with the
 15 zeal that you thought he should pursue it with?

16 A I don't know.

17 MR. CRITTON: Form.

18 BY MR. GARCIA:

19 Q What is your opinion of why he didn't
 20 pursue it that way?

21 MR. CRITTON: Form.

22 THE WITNESS: That's not my role. I
 23 haven't formed an opinion on that, I don't know
 24 why.

1 BY MR. GARCIA:

2 Q Did you think that -- were you aware or
3 did you become aware at some point that Mr. Epstein
4 was a contributor to the democratic party?

5 A Yes.

6 Q Are you aware that Mr. Krischer has ties
7 to the democratic party?

8 MR. CRITTON: Form.

9 THE WITNESS: Yes.

10 BY MR. GARCIA:

11 Q Did you suspect at any point in time that
12 there was a connection between Mr. Epstein's
13 political connections with the democratic party and
14 Mr. Krischer's refusal or neglect to prosecute in
15 this case with the zeal he should have pursued it
16 with?

17 MR. CRITTON: Form.

18 THE WITNESS: I didn't allow myself to
19 explore that.

20 BY MR. GARCIA:

21 Q Did you have any discussions with Mr.
22 Krischer about that issue, whether or not
23 Mr. Epstein was receiving favorable treatment from
24 the State Attorney's Office because of Mr. Epstein's
25 political connections?

1 MR. CRITTON: Form.

2 THE WITNESS: I asked him why he was
3 treating the case in the way that he did.

4 BY MR. GARCIA:

5 Q And what was his response?

6 A His response was that the victims weren't
7 credible in his mind. I don't know -- I don't mean
8 all the victims weren't credible but some of the
9 victims weren't credible. He didn't believe that --
10 sixteen and seventeen-year-old victims, he told me,
11 were -- he said it was the policy of the State
12 Attorney's Office not to charge molestation type
13 cases or even a sex type battery case when it was
14 consensual. His answer to that question was about
15 the merits of the case.

16 Q So he told you it was the policy of the
17 State Attorney's Office not to charge victims of
18 lewd and lascivious who were sixteen and seventeen
19 years old?

20 A Well when it was a consensual -- I know
21 it's kind of a misnomer because they can't legally
22 consent to it, but he said when it was practically a
23 consensual situation it was their general policy not
24 to prosecute those kinds of cases, yes.

25 Q But these victims were willing to press

1 criminal charges against Mr. Epstein, correct?

2 MR. CRITTON: Form.

3 THE WITNESS: Yes.

4 BY MR. GARCIA:

5 Q This is not a situation where there was
6 maybe a boyfriend/girlfriend situation, an age
7 difference and the victim was not cooperating in the
8 investigation; is that correct?

9 MR. CRITTON: Form.

10 THE WITNESS: That's correct.

11 BY MR. GARCIA:

12 Q Did you challenge him on that issue?

13 A Yes.

14 Q And what was his response?

15 A He continued to reiterate that the case,
16 that it was his ethical obligation. And he had told
17 me this before about other cases that we had
18 discussed, Palm Beach Police Department cases and
19 other cases, that he has an ethical responsibility
20 to feel -- to be reasonably certain that the case is
21 winnable before he prosecutes it. And he said that
22 because of all of those reasons and others involving
23 some of the reputation and Facebook pages and so on
24 of certain victims, that he couldn't feel that he
25 could be successful in the prosecution.

1 Q Did he show you any of the Facebook pages
2 that he had considered?

3 A He did not.

4 Q You said when he presented this case to
5 the Grand Jury he gave you some explanation as to
6 why he presented it that way. Did your detectives
7 and investigators, were they subpoenaed to appear
8 before the Grand Jury?

9 A At least one detective was.

10 Q You know who that was?

11 A I have to ask my lawyer the question of
12 whether or not I can answer that because Grand Jury
13 material, I know, always remains sealed. I don't
14 know if I do something improper by identifying that
15 person alone without -- I don't know what they said,
16 I wasn't in the Grand Jury.

17 Q I think the testimony would remain
18 privileged or confidential, but the Grand Jury did
19 return an indictment; is that correct?

20 A That's my understanding, yes.

21 Q So I'm not asking you to -- you don't have
22 access to the testimony I'm assuming?

23 A That's correct.

24 Q I'm just asking you for the identity of
25 the person who was subpoenaed to appear before the

1 Grand Jury, if anyone was, from your department?
 2 A Well I don't know if that is appropriate
 3 for me to answer. Grand Juries are sacred, I don't
 4 know if revealing that would violate something. So
 5 really if unless --

6 Q Do you want to consult with --

7 A -- my lawyer knows otherwise then, you
 8 know, I really would rather not answer that. I
 9 didn't appear before the Grand Jury, you know. I
 10 mean, I don't know if you have that information.
 11 This is a nuance probably.

12 MR. RANDOLPH: I think he's going to stand
 13 with his answer.

14 MR. GARCIA: So are you instructing him
 15 not to answer?

16 MR. RANDOLPH: No.

17 MR. GARCIA: Okay. Well does anyone take
 18 the position that the identity of the person
 19 subpoenaed to appear before the Grand Jury is
 20 privileged? I think it's something that unless
 21 there's a specific provision in the law that
 22 I'm not aware of, I think the identity of a
 23 witness before the Grand Jury can be testified
 24 to. I'm not asking for the content of
 25 testimony, which he should not have shared with

1 you in any event, but I just want to know the
 2 person who actually had a subpoena served on
 3 him to appear before the Grand Jury.

4 THE WITNESS: Other subpoenas in the case
 5 file, criminal case file?

6 BY MR. GARCIA:

7 Q I don't know the answer.

8 A If they're not, I mean you're all the
 9 lawyers, but I would feel much more comfortable
 10 either having that researched by my lawyer or being
 11 instructed by a judge whether to answer that. I
 12 would not want to take the chance of doing something
 13 wrong in violation of law by answering that.

14 Q All right. Well I guess we'll certify the
 15 question.

16 You were talking about Jerry
 17 Goldsmith. Did he ever hold any official position
 18 with the Town of Palm Beach?

19 A He did. And as far as I know is still the
 20 chairman of the police retirement board, which is an
 21 appointed position by the town council.

22 Q Are you a participant in the retirement
 23 plan?

24 A Yes, I am.

25 Q And do you know who appointed Mr.

1 Goldsmith?

2 A It has to be a majority vote of the town
 3 council and he's been reappointed. I don't know if
 4 he still serves in that capacity. I know he did
 5 when I left the department.

6 Q And at the time that he, for lack of a
 7 better word, lobbied for Mr. Epstein, was he a
 8 member of this retirement police board?

9 A Yes.

10 Q How many conversations did Mr. Goldsmith
 11 have with you about Mr. Epstein on this issue?

12 A I can remember two in my office and I
 13 think one during sort of a chance encounter
 14 somewhere outside of my office.

15 Q And you said he introduced Mr. Goldstein
 16 to you? I mean Mr. Goldsmith introduced Mr. Epstein
 17 to you on one occasion; is that correct?

18 A Yeah, I believe so.

19 Q Did he bring him to your office or was it
 20 outside the office?

21 A I remember a time that Mr. Epstein came to
 22 my office prior to all this.

23 Q Prior to all what?

24 A All of -- everything that we've talked
 25 about here today.

1 Q Oh, prior to even the beginning of the
 2 investigation?

3 A Yes, as just a resident. And I really had
 4 an open door policy and lots of people did that.
 5 And I don't remember whether or not he was
 6 physically there with him or whether or not it was
 7 something he facilitated, he being Jerry Goldsmith.

8 Q What did Mr. Epstein want to speak to you
 9 about?

10 A I don't remember the detail of it and I
 11 don't remember whether or not it was at his request
 12 or my request. He had made donations to the police
 13 department in the past. I think that some substance
 14 of that conversation related to that.

15 Q I'm sorry, who had made donations?

16 A He being Mr. Epstein.

17 Q And do you know in what amounts?

18 A Precisely, no. But Palm Beach being a
 19 philanthropic community, there was a formal fund set
 20 up that allowed residents, or anyone for that
 21 matter, to buy things that didn't appear in the
 22 budget and it was always very specific. And I do
 23 remember that he donated, he being Mr. Epstein,
 24 donated a long period prior to this investigation
 25 some technical equipment that the department

1 couldn't fund any other way. The exact number or
 2 even the approximate number I don't remember. He
 3 made a larger donation at a later time, you know,
 4 before the investigation took place, and we didn't
 5 expend the money because we were researching the
 6 equipment, and that was a firearms training
 7 simulator. And once the investigation -- I became
 8 aware of the investigation, I sort of froze the
 9 money, and then once the case had become public I
 10 had sent him the money back.

11 Q And do you know what the amount of the
 12 larger donation was?

13 A It was in the \$100,000 range.

14 Q And do you recall the date of the
 15 donation?

16 A No, I don't. Those records I'm sure are
 17 available.

18 Q What was the earliest date that anyone
 19 came to you with a complaint about Mr. Epstein's
 20 activities in terms of the young women visiting his
 21 home?

22 A Well no one ever came to me about that
 23 directly, but to the department. I suppose this,
 24 this would be Exhibit Number 1. Or just prior to
 25 that there was some sort of report to us that was

1 kind of like there are attractive young women coming
 2 and going, different ones all of the time. And
 3 there was some level of inquiry on that and we
 4 were -- it was reported to me that we were confident
 5 that they were all adults.

6 Q And Exhibit Number 1, what is the date of
 7 that document?

8 A 11/28/04.

9 Q And you said that it was either on that
 10 date or just before that date that someone made the
 11 department aware of these activities at his home
 12 involving young women?

13 A Yes.

14 Q And are you able to testify to a certainty
 15 that the donation, the initial donation of technical
 16 equipment or the subsequent donation of about
 17 \$100,000, was before or prior to November 28th,
 18 2004?

19 A I know it was with complete certainty
 20 prior to March 14th, 2005. I believe it was
 21 probably prior to 11/28/2004, but the details of
 22 this I am not sure I have ever seen prior to this.
 23 I think it was reported to me in summary format,
 24 but -- so I wouldn't have made an immediate
 25 connection to the timing because I don't know if

1 I've ever seen that before.

2 Q When did you return the money, the second
 3 donation of \$100,000 to Mr. Epstein?

4 A I don't recall the exact date, but it was
 5 once I was completely confident that he was aware of
 6 the investigation. Because I didn't want to return
 7 it prior to that because then I think it might have
 8 been a tip off to him, it would have been a tip off
 9 to him that something was amiss.

10 Q Did your staff at the Palm Beach Police
 11 Department attempt to interview any of Mr. Epstein's
 12 employees at any time? And I'm talking about like
 13 maybe the cook, the butler, whoever he had on staff
 14 at the house?

15 A I think we tried to interview everyone.

16 Q Do you recall when the first attempts to
 17 interview were made?

18 A No, I don't.

19 Q Would you say it was 2004 or 2005?

20 A I think it was around the point that it
 21 either -- it was after or around the point that it
 22 became public that we were confident that he knew
 23 that we were investigating.

24 MR. GARCIA: I think the videographer's
 25 indicated that he's got a few minutes left, so

1 if we can change tapes.

2 THE VIDEOGRAPHER: We're off the record at
 3 3 o'clock and this is the end of tape 3.

4 (Off the record)

5 THE VIDEOGRAPHER: We're back on the
 6 record at 3:04. This is the beginning of tape
 7 4.

8 BY MR. GARCIA:

9 Q Did you ever inform the U.S. Attorney's
 10 Office or the FBI about these donations that Mr.
 11 Epstein had made sometime around the -- we don't
 12 know quite when but sometime it sounds like 2004
 13 perhaps?

14 MR. CRITTON: Form.

15 THE WITNESS: Yes, on the same day that
 16 the Grand Jury indictment was on, a Friday. I
 17 learned of Mr. Epstein's arrest on Monday
 18 morning. That day the FBI called me and asked
 19 me to come over along with the detective to
 20 provide them information in the case, and in
 21 that initial meeting I informed them of this in
 22 detail.

23 BY MR. GARCIA:

24 Q I'm sorry if I asked this already, but the
 25 original equipment that he donated to the

1 department, was that ever returned to Mr. Epstein?
 2 MR. CRITTON: Form.
 3 THE WITNESS: No. That was video editing
 4 equipment.
 5 BY MR. GARCIA:
 6 Q And do you know the value of that
 7 equipment?
 8 A No, I don't. It was certainly less than
 9 the subsequent donation.
 10 Q And when you learned of the subsequent
 11 donation, why did you hang on to it rather than
 12 using it for -- to purchase equipment or for some
 13 other purpose?
 14 A This was emerging technology and we were
 15 still researching which of the vendor's equipment
 16 that we were interested in purchasing. I think we
 17 were going to put out a request for proposals on
 18 that. And we were learning more, as it was changing
 19 and improving, about what kind of equipment to
 20 actually buy, the details of which brand equipment
 21 to buy.
 22 Q And who would have the records of when
 23 this donation or these two donations actually came
 24 in?
 25 A Custodian of records would be the

1 appropriate place where all the financial things
 2 like that are very carefully documented. I'm
 3 guessing that the donation of the video equipment
 4 might even have been prior to when I became Police
 5 Chief, it was that much earlier.
 6 Q And you became Police Chief when?
 7 A 2001.
 8 Q What about the \$100,000 donation, was that
 9 before or after you became Police Chief?
 10 A That was while I was Police Chief.
 11 Q And can you narrow down a year for me in
 12 terms of when it may have happened?
 13 A All of this is available in exact numbers,
 14 I just don't have the documents.
 15 Q What sort of receipt is issued to someone
 16 who donates equipment or money to the Town of Palm
 17 Beach?
 18 A A thank you letter, which if they choose
 19 to use it as a tax deduction I guess they use that.
 20 Q And would that come from the town --
 21 excuse me, police --
 22 A Come from the Police Chief.
 23 Q Police Chief, okay.
 24 A Or whatever department the donation was
 25 made to it would come from the department head

1 generally.
 2 Q Do you recall writing a thank you letter
 3 in this particular case?
 4 A For which one, for the --
 5 Q For the monetary donation?
 6 A I don't actually recall it but it would
 7 have been extremely unusual for me not to, so I'm
 8 sure that I did.
 9 Q Where are these funds deposited, the
 10 monetary donations that are made to the police
 11 department?
 12 A There is a donation's account that's
 13 part -- a line item on the town's budget as an
 14 expenditure line item that matches that.
 15 Q Is it fair to say that the \$100,000
 16 donation was returned by the Town of Palm Beach
 17 after the indictment?
 18 A Well the exact date is available because I
 19 wrote Mr. Epstein a letter when I had a check issued
 20 and sent to him. I'm thinking that it might be
 21 before the indictment. I think it was the point
 22 that it was out there in the public, that everybody
 23 knew, but I might be wrong. I see he's shaking his
 24 head no, he might remember better. But it was
 25 returned no later than the day of his arrest.

1 Q And did you explain in your letter why you
 2 were returning the funds to him?
 3 A No. I remember being very brief.
 4 Q Getting back to Mr. Goldsmith, I may have
 5 misunderstood what you said, but I thought you said
 6 something along the lines that you had to make clear
 7 to him that what he was doing, what he,
 8 Mr. Goldsmith was doing, could potentially be a
 9 crime. Did I understand that correctly?
 10 A Yeah. I said it was improper and that he
 11 needed to stop.
 12 Q Did you use the words what you might be
 13 doing might be a crime?
 14 A I conveyed that message even if I didn't
 15 use those exact words. Not that what he was doing
 16 was a crime. If it was a crime I would have to
 17 decide to arrest him, but -- and I don't think he
 18 ever thought that prior to me pointing out to him
 19 that he had to stop and that it was improper and
 20 that it was, you know, serious, I don't think he
 21 ever thought that he was doing anything improper or
 22 illegal.
 23 Q And did he say that he had any personal
 24 knowledge of what these events that Mr. Epstein was
 25 being investigated for were and that it wasn't

1 really that big a deal?

2 A No.

3 Q Did he seem to have an understanding of
4 what Mr. Epstein was being investigated for?

5 MR. CRITTON: Form.

6 THE WITNESS: I know that I told him that
7 this was very serious, involved young girls,
8 that it was a felony some of the instances.
9 Did he realize that prior to me telling him
10 that, I don't know, but I know that he realized
11 that when I told him that.

12 BY MR. GARCIA:

13 Q And when do you think the conversations in
14 terms of the range of dates that you had with Mr.
15 Goldsmith were?

16 A I don't have the exact dates, but the very
17 first conversation was before things were public. I
18 had the impression that he had some contact with Mr.
19 Epstein to know that we were investigating him. I
20 didn't know how else he would know that.

21 Q And if it was a -- I don't know if you
22 would call it a secret investigation, maybe a
23 confidential investigation, did you ask him how he
24 knew of the investigation?

25 A I don't recall if I did. All

1 if I said illegal or what charges might apply here
2 or anything of those things, I don't know. I don't
3 think -- I did because I don't think he fully
4 realized what I thought he had begun to do. I feel
5 like he thought that he was just sort of defending a
6 friend and making a commentary to a friend, which is
7 I'm sure how he viewed me, that he thought we were
8 unnecessarily zealous in seeing this got prosecuted.

9 Q Did you ever find out that Mr. Goldsmith
10 went to higher authorities than yourself within the
11 Town of Palm Beach to make the same pitch in favor
12 of Mr. Epstein?

13 MR. CRITTON: Form.

14 THE WITNESS: I heard from many different
15 people that he said the same thing to them
16 about our investigation.

17 BY MR. GARCIA:

18 Q Including Mr. Elwell?

19 A No.

20 Q Who did you hear --

21 A I don't remember specifically Peter Elwell
22 telling me that Jerry Goldsmith talked to me about
23 that.

24 Q Did he go to any town council members?

25 A I know that he went to one town council

1 investigations are secret just by their nature.

2 Q But in any event, no one from your
3 department at that point in time would have been
4 authorized to discuss the investigation outside of
5 the agency itself or perhaps maybe with a witness;
6 is that correct?

7 A Or law enforcement, the State Attorney's
8 Office, that's correct.

9 Q And the first conversation that you say
10 you had with Mr. Goldsmith before things became
11 public, are you speaking of the indictment or are
12 you speaking about media coverage of the
13 investigation? What do you mean by before things
14 became public?

15 A When I say public I mean that was the
16 point that the news media began reporting on it.
17 And I don't remember exactly when that was, if that
18 was before the announcing of the arrest or if it was
19 right at the arrest when he turned himself in.

20 Q When you spoke to Mr. Goldsmith, did you
21 use words like obstruction of justice or witness
22 tampering?

23 A I don't remember exactly what I told him,
24 but I let him know he had to stop, he had to stop
25 and it was beyond just improper. I don't remember

1 person, yes.

2 Q Who was that?

3 A You know, some of these things are told me
4 in confidence as a friend. I don't feel appropriate
5 in relaying that information here. I don't see what
6 that has to do with the case.

7 Q Well, I mean I can't explain to you how I
8 might use that information, but I can tell you it's
9 not subject to a privilege even if a person told you
10 in confidence unless there was some sort of
11 attorney/client privilege involved, which I'm sure
12 there wasn't. So unfortunately I am going to ask
13 that you convey that answer.

14 MR. KUVIN: Do you want to consult?

15 MR. RANDOLPH: Yeah. Let's take a minute.

16 THE VIDEOGRAPHER: We're off the record at
17 3:15.

18 (Off the record)

19 THE VIDEOGRAPHER: We are back on the
20 record at 3:19.

21 BY MR. GARCIA:

22 Q Okay, sir, you've had an opportunity to
23 consult with your counsel. And my question, I
24 believe, was who was the town council member who
25 informed you that Jerry Goldsmith had approached him

1 or her attempting to speak on behalf of Mr. Epstein
 2 concerning your investigation?

3 A Gail Coniglio.

4 Q Gail, G-A-I-L?

5 A Yes.

6 Q How do you spell the last name?

7 A C-O-N-I-G-L-I-O.

8 Q Is this before or after you had impressed
 9 upon Mr. Goldsmith that what he was doing was
 10 improper that Mrs. Coniglio approached you?

11 A I don't remember.

12 Q Did you ever consider filing any
 13 obstruction of justice charges against Mr. Goldsmith
 14 after you learned that he was conferring with town
 15 council members on behalf of Mr. Epstein during a
 16 pending police investigation?

17 A I don't think that he was attempting to
 18 influence me through them because I was not
 19 influenceable. I don't report to them and it really
 20 wouldn't matter, I report to the Town Manager.

21 Even if he told me to do A, if I felt
 22 B was right and it ended my career, if it was
 23 important enough I would do B. But I never felt
 24 that kind of pressure. I never felt like he did any
 25 of these things knowing that he risked violation of

1 a statute. I felt like he -- I just felt like he
 2 could talk to a friend about a friend. I mean I
 3 thought about it a little bit but, no, it wasn't the
 4 kind of thing that I ever considered filing charges.

5 Q Did Gail Coniglio ever tell you, or did
 6 you ever ask Ms. Coniglio what Mr. Goldsmith had
 7 said to her on behalf of Mr. Epstein?

8 A It was -- yes, she told me it was more of
 9 a commentary about she described Jerry Goldsmith's
 10 sort of commentary about how he didn't feel I acted
 11 appropriately and he thought it was my way of
 12 showing that I had some power over the wealthy
 13 residents of Palm Beach, which was ridiculous.

14 It was, you know, a variety of
 15 different things that I heard on the cocktail party
 16 circuit of, you know, people's idea, some of them
 17 planted by lawyers that represented Mr. Epstein and
 18 comments to the New York newspapers. And I heard a
 19 lot of that throughout this entire thing.

20 And it was more along those lines of
 21 that Gail Coniglio related Jerry Goldsmith's
 22 comments about, I was kind of an employee and didn't
 23 really know my place here and that I had been more
 24 zealous about seeing that this got prosecuted than I
 25 needed to.

1 Q And, I'm sorry, did you say that
 2 Ms. Coniglio spoke to you about this or did you
 3 initiate a conversation with her about this?

4 A I had contact with her on a regular basis
 5 and, you know, as a town council member, and she
 6 called me and sort of began it by why is Jerry
 7 Goldsmith so upset with you. And I think I said
 8 well, I've heard that -- in general terms this is
 9 what I said, that he has been speaking unfavorably
 10 about me. I know that he is a close friend of
 11 Mr. Epstein and he told me that. And she sort of
 12 said oh, well that explains it. Well, you know, he
 13 thinks that you went too far with this and that
 14 you're out of control and pursuing investigations
 15 against Palm Beach residents and didn't really know
 16 my place. That was the general content of the
 17 conversation.

18 Q And did you perceive Ms. Coniglio as
 19 exerting some sort of subtle pressure on you to
 20 maybe back off a little bit in this investigation?

21 A Not at all in any way.

22 Q Does the Town of Palm Beach have an IT
 23 person who is in charge of your computerized records
 24 and e-mails and things of that nature?

25 A Yes.

1 Q Who would that be?

2 A Spencer Wilson.

3 Q And what is his job title or position?

4 A Manager or director or something, of
 5 information systems.

6 Q Is that just for the police department or
 7 for all the town?

8 A No, for the whole town.

9 Q And you said something about you felt the
 10 retention policy for e-mails was one to two years?

11 A I'm guessing, I don't know. I'm guessing.

12 Q I mean any e-mail you would have received
 13 or sent out would be subject to the public records
 14 law, right?

15 A Business related e-mails, that's my
 16 understanding, yes.

17 Q You said you received a letter from the
 18 U.S. Attorney's Office that you were asked to
 19 destroy?

20 A That's correct.

21 Q Did you destroy the letter?

22 A Yes, I did.

23 Q Did you consult with counsel prior to
 24 destroying the letter?

25 A I consulted with the U.S. Attorney and

1 asked whether or not in light of the public records
 2 law and so on that I had an obligation to keep it
 3 and so on. And they said no, we're asking you to
 4 destroy that as part of something, some statute or
 5 rule or something that was included in there, and it
 6 was appropriate to destroy it as part of -- I don't
 7 know whether they use this terminology, but work
 8 product, attorney/client relationship, so on and so
 9 on.

10 Q Did your agency handle the doctor shopping
 11 investigation with Rush Limbaugh?

12 A No.

13 Q Did your detectives or officers interview
 14 Sarah Kellen at any time or attempt to interview
 15 her?

16 A I think we attempted. I don't know
 17 whether we were successful or not.

18 Q And I think you said you submitted, I
 19 don't know if it was an arrest warrant or some sort
 20 of paper, to the State Attorney's Office to have
 21 Sarah Kellen charged criminally?

22 A I think I remember the original
 23 application for a capias or a rough sworn or
 24 something like that included three people. I seem
 25 to remember it was Mr. Epstein, Nadia Marcinkova, I

1 apologize if I'm mispronouncing that. And, you
 2 know, I'm not sure whether it was Sarah Kellen or
 3 Haley Robson that was that third person, I'm not
 4 entirely sure. I'm sure you have copies in the
 5 public records.

6 Q And in that document that you forwarded to
 7 the State Attorney's Office, were charges
 8 recommended specifically in terms of what they
 9 should be?

10 A Yes.

11 Q And what were the charges if you recall?

12 A I don't recall.

13 Q And as a result of filing those papers
 14 with the State Attorney's Office, were criminal
 15 charges filed, or was this where Mr. Krischer
 16 declined to file the charges that you folks
 17 recommended?

18 A He declined to file those charges.

19 Q And is that when the relationship between
 20 you and Mr. Krischer started breaking down?

21 A Yes.

22 Q Did he give you any explanation as to why
 23 he declined to follow your agency's recommended
 24 charges?

25 MR. CRITTON: Form. That was one of your

1 first questions of him today.

2 THE WITNESS: Yeah. It was the same
 3 explanation as before, the Facebook pages and
 4 ages of some of the victims and so on.

5 BY MR. GARCIA:

6 Q Did Mr. Krischer talk to you about a
 7 lawsuit that he had been a defendant in involving
 8 allegations of sexual harassment?

9 A No.

10 Q Were you aware of that lawsuit?

11 A Yes, from the news media.

12 Q I have nothing further. Thank you.

13 A You're welcome.

14 * * * * *

15 (End of Volume I, continued on Volume II)

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1 CERTIFICATE OF OATH

2

3

4 THE STATE OF FLORIDA,)

5 COUNTY OF PALM BEACH.)

6 I, the undersigned authority, certify that MICHAEL
 7 REITER personally appeared before me and was duly sworn on
 8 the 23rd day of November, 2009.

9 WITNESS my hand and official seal this 30th day of
 10 November, 2009.

11

12

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18 VANESSA G. ARCHER

19

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25

1 REPORTER'S CERTIFICATE
2

3 THE STATE OF FLORIDA,)
4 COUNTY OF PALM BEACH.)
5

6 I, VANESSA G. ARCHER, Court Reporter, certify that
7 I was authorized to and did stenographically report the
8 foregoing deposition; that a review of the transcript was
9 requested; and that the transcript, Pages 1 through 185, is
10 a true and complete record of the testimony given by the
11 witness.
12

13 I further certify that I am not a relative,
14 employee, attorney, or counsel of any of the parties, nor am
15 I a relative or employee of any of the parties' attorney or
16 counsel connected with the action, nor am I financially
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19 The certification does not apply to any
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23 Dated this 30th day of November, 2009.
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27

1 ERRATA SHEET
2

3 B.B. vs. Jeffrey Epstein
4 Case No: 502008CA37319 XXXX MB AB
5 11/23/09

6 DO NOT WRITE ON TRANSCRIPT -- ENTER CHANGES HERE:
7 Page: _____ Line: _____
8 Now reads: _____
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16 Now reads: _____
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24 Now reads: _____
25

Under penalties of perjury, I declare that I have
read my foregoing transcript and, together with any changes
made above, the facts stated herein are true.
26

27 DATE (Witness Name)
28